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THE NEW GERMANY

THE NEW GERMANY

BY

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AUTHOR'S PREFACE

THE following account of events in Germany during the period from the Armistice to the Treaty of Versailles was written mostly in the summer of 1919. But the events of the succeeding period from the signature of the Treaty to its ratification during the autumn and winter call for no alteration and but little addition to the text. The six months hereinafter described from February to August were a—perhaps the—critical period for Germany and for Europe. It was the formative and creative stage for New Germany and for New Europe. If the whole phase through which Central Europe passed after the collapse of the Central Powers is considered as the genesis of a new age, then the week of actual revolution was a phase of intense heat

and fierce energy, in which the old political organisms were boiled down to their most simple and essential types and in which the germs of new political institutions appeared in primitive forms such as the Councils. Thereafter came the period under review, in which the old and new types fought for a survival of the fittest; and the old—aided by the general cooling off of the revolution—to some extent reasserted their supremacy. Indeed during this last winter I have even occasionally thought that the types of old Germany might succeed in suppressing the new, thereby making it necessary to change the title and tone of this book. But I know this impression is largely due to the pessimistic and perverted point of view towards all events in Central Europe affected by the British Press with few exceptions. For our "Dailies" Germany is only a subject for "scare heads" and "stories," in which adventurous special correspondents see the Kaiser emerging from the Netherlands to re-ravage Europe like the Brontosaurus out of the Nyassa swamp. Whereas

the reality seems to be that reaction has moderated as the revolution became more amenable, and that a " modus vivendi " between the two is now more of a possibility than it was.

It now seems less probable than it did last summer that the solution in Germany will be a " second revolution " as in Russia. Weak as it is politically, the present German governmental system seems too strong police-ically to be overthrown by force. The situation to-day in Germany rather suggests that in Great Britain two years hence than that in Russia two years ago.

The new Germany of this winter of 1919–20 is essentially, then, the same as that of last summer. It is not the old Germany of the autumn of 1914, nor the young Germany of the autumn of 1917. But it has developed rapidly in some respects in the course of this winter. Thus the rough and ready rule by Frei-Corps expeditions and garrisons has been supplemented by a gendarmerie (*Sicherheitswehr*); and the middle-class militia (*Bürgerwehr*) has been replaced by

an organisation of armed special constables (*Einwohnerwehr*).

The effect and perhaps the object of this change is to obscure the class character of the conflict between reaction and revolution—between property and the proletariat. The police is no longer a weapon for use by a possible militarist reaction or monarchist restoration, and in return it will be supported by the moderate revolutionaries.

Reaction and revolution are reuniting as reconstruction; and this tendency appears in all regions of political activity. Thus the revolutionary Council system now seems established as a secondary representative institution supplementary to Parliament.

This development is, however, not due to maturity of political experience—as it would be in similar conditions in an Anglo-Saxon community—but merely to mortal weakness. German political vitality, owing to mediæval calamities, has always been low in modern times. Now, as a result of a four years' frenzy of war

and a fifth year in a fever of revolution, German political vitality is a very flickering flame. So long as France and Great Britain continue to enforce the principles and procedures of the Treaty of Versailles and of the Paris Council, Germany will remain a danger to Europe—a danger, not because of its recent relapse into a Conservative reaction, nor even because of the decreasing risk of a Communist "second" revolution, but because Germany is an essential and vital member of our European body politic that is being kept in a morbid, even moribund, condition by the provisions of the peace. The Paris diplomatists have not yet learnt the lesson taught by a great French diplomatist two hundred years ago at the time of the last great European settlement but one. M. de Callières then wrote in his treatise on diplomacy—"We must think of the States of which Europe is composed as being joined . . . in such a way that they may be regarded as members of one Republic, and that no considerable change can take place in any one of them without affecting

the condition or disturbing the peace of all the others."

A majority of the rank and file of Greater Britain does so think of Germany to-day, but unless and until it can compel its rulers to act accordingly it will not get peace. Peace is only for men of good will.

CHRISTMAS, 1919.
65, STRAND ON THE GREEN,
CHISWICK.

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THE NEW GERMANY

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CHAPTER I

THE REVOLUTION

WHEN, in January, 1919, I resigned my commission and made my way out to Berlin as correspondent for the *Daily News*, I had two purposes in view. One was to find out to what extent we had really won the war—in the only way it could be won—by forcing the German people into revolution; and incidentally to take any opportunity that might offer of furthering that revolution. My second purpose was to find out what prospects there were of making a more or less permanent peace—in the only way it could be made—by establishing the forces of reform in Germany; and incidentally to point out any openings favourable to the furthering of such a peace. The following book brings together and sums up conclusions communicated

to the *Daily News* from time to time and is put forward as an answer to the double question: Have we won the war against Prussianism and have we made a permanent peace?

The answer to this question was only to be got in Berlin. The first mistake made by the soldiers and workers who had won the war was in not insisting on their representatives making peace with the German people and at Berlin. An experience of twenty years in diplomacy, beginning with the arbitration treaties of Lord Pauncefote and ending with those of Lord Bryce, followed by two years of war experience, beginning with political secret service and ending in the ranks, had convinced me from the first that true peace could only be got by developing the forces of democracy of the defeated peoples centring in Berlin, and not by any bickerings between diplomatic formulæ of the victorious Governments collected in Paris. That is why I preferred going as a journalist to Berlin rather than in any other capacity to Paris. And that is why the following papers are published. They show that anyone who spent the first six months of 1919 in Berlin and the big German towns would have seen easily enough how it was that, in spite of military occupations and religious thanksgivings and bonfires and bonuses all round, we were not

winning the war but losing it: and how, in spite of territorial partitions and financial reparations, and signatures with gold pens and the setting-up of a League of Nations, we were not making peace but manufacturing wars. We have not yet won the war because we have not as yet supported in Germany the progressive—that is, the revolutionary—elements and suppressed the Prussian—that is, the reactionary—spirit: while we have, of late, been really losing the war by actually assisting German reaction against German revolution. And we are doing this just from the ignorance of our democracy and the *insouciance* of our diplomacy.

Our democracy has been prevented from ascertaining, and our diplomacy has been precluded from understanding what the German revolution really means, both to Germany and to Great Britain. Although we are slow to understand foreign movements, yet ignorance of such a movement as this would have been impossible but for the conditions under which the war closed. The German revolution, banned, boycotted, and blockaded, became to us a stone of offence, an odious ruin of the war, and so we failed to recognise it as the only possible foundation stone for peace.

The six months I spent in Germany were none

too much to realise the radical and rapid changes going on; and I can see how difficult it has been for English readers to get an idea of what is really happening there from the little that has been written about it. They cannot do so at all unless they clear their minds of the cartoons and caricatures and clichés forced on them during the last five years by the propaganda and the Press. It is no use drawing Germany from the life for people who still have before their eyes the "Boches" and "Bolsheviks" of *Punch* and *John Bull*. One has, indeed, to clear away two strata of misrepresentation, that of our Government and Press and that of the German Government and Press; for the latter is as much opposed to the German revolution as the former.

It would have been better for Germany had it shown more courage and collapsed less completely last autumn. A few weeks' patient endurance under punishment in a losing fight would have gone far towards restoring it some measure of the sympathies of the civilised world. While the consequent occupation of the whole country would have brought us into direct contact with the German revolution, and would have prevented the fatal split between reformers and revolutionaries, between Majority and Inde-

pendent Socialists. As it was, we English were left to draw such conclusions as we could from the reports of the few correspondents who penetrated to Berlin. But, with two exceptions, the English Press could at this time publish nothing about Germany that was not merely malevolent. And of the few Englishmen in Berlin as correspondents in January, almost all were replaced before the Treaty of Peace by foreign Jews who would supply the sort of propaganda poppycock with which public opinion is still being poisoned.

What people in England wanted to know was whether the German revolution was a real riddance of the evil we had been fighting and a real renascence of good that we could favour; whether it had gone far enough and deep enough to be a sincere repentance and a sufficient remediation. For, unless Germany was born again, it could not enter the community of nations, and until it did so, there could be no true peace.

They could guess that Kaiserism was dead and gone and Junkerism down and out. But even so picturesque and positive an event as the fall of Kaiserism had been only baldly mentioned in a bare telegram of a line or two. How could the British public realise that the Black Eagle of Prussia was no Phœnix and that the blaze of

November 9 had left nothing of it but a bad odour and a white feather.

But in Berlin there could be no doubt. Kaiserism was dead—deader even than Tsarism—because the Kaiser was still alive. His shot-shattered and mob-swept palace was the only reminder of him. And every Berliner had more or less vivid recollections of his fall, recollections too lamentable, too ludicrous, to allow of any restoration of the Kaiser legend even now.

After reading your morning paper about revolution in Dublin and revolt in Glasgow and reconstruction in London, as you walk down to your office past the Dutch decorum of Kensington Palace, the Scotch skimpiness of St. James's, or the generous Germanosities of Buckingham Palace, does it ever occur to you to wonder what goes on in a palace when there is a revolution?

Well, this is what happened to the Kaiser-schloss in Berlin on November 8.

The curious crowd that always collects outside the house of anyone mentioned in the papers, whether it's an absconded postmaster or an abdicated potentate, found that the sentries no longer challenged them, and first filtered, then flooded into the inner courts. Thereupon the police and guards left, and the palace remained in charge only of the Kastellan and a few servants

and soldiers. All doors were kept locked, and beyond some shouting everything was orderly, for the prestige of the Imperial precincts still prevailed.

Then one Schwieringer, not otherwise distinguished, made his way to the Kastellan and got leave to address the crowd from a window. Having draped the balcony with a red cloth borrowed for the purpose, he declared the palace national property. This broke the spell somewhat. The rest of the soldiers left, and the crowd became noisy.

Late in the afternoon came Liebknecht, who engaged another balcony, borrowed more red curtains, made another speech, and after holding a sort of levée in the Throne Room left again. Later came soldiers and hoisted a red flag. So far the Kastellan had remained master of the situation, conducting his unwelcome visitors through the rooms, unlocking and locking behind him as on ordinary occasions with any ordinary tourists.

Then on November 10 came one Bujakowski, with a Slavonic eye for the possibilities of the situation. Having collected such soldiers and civilians as were hanging about, he made them a speech, and called on them to elect a council, and himself Commandant of the Castle, which they

did. He then said he must have a suitable uniform. The council agreed, and appointed a delegation to make selections from the Imperial wardrobe.

Happy delegates—happy, happy Bujakowski! Five hundred uniforms and, say, five pieces to each. How many combinations does that give in which to find the perfect expression of a Spartacist commandant of a Hohenzollern castle. He did his best in the time no doubt. Delegate Schwartz, try a combination of those English and Hungarian uniforms! Delegate Schmidt, see if that hunting costume goes with a Turkish fez! History does not record the result, beyond a cavilling incrimination about a diamond-headed cane. But it must have been effective, for the Commandant returned from the Reichstag with his commission confirmed. The rest of the company played up to his spirited lead, and the next morning his "adjutant" attempted a *coup d'état*. Bujakowski suppressed it with a revolver, but was, however, deposed a day or two later by an ex-convict, who generously appointed him his secretary.

These three men then formed a triumvirate, which spent most of its time making excursions in fancy dress with the imperial cars, and, oddly enough, kept the castle in fairly good condition.

It was not until the sailors' revolutionary corps turned them out that all order disappeared. Some ten commandants then succeeded each other rapidly. The seventh shot the sixth, and was knocked on the head by the eighth. The palace became a resort of bad characters, and was stripped bare. Eventually, it was retaken by force, and the sailors were ejected.

Berliners shake their heads over the loss, estimated in millions (of war marks). But I don't know that there is much to lament. Personally, I am grateful to Bujakowski. His burlesque buffoonery has exorcised the Imperial incubus that still brooded over the deserted shrine of departed littleness, and I forgive him for his share in destroying or dispersing some of the ugliest *objets d'art* in Europe.

Kaiserism died when William the Second fled to Amerongen and Bujakowski broke into his wardrobe. Nor has it been revived by the revulsion in favour of William of Hohenzollern that we have evoked by our proposal to put him on his trial in England. We have thereby rallied in his support many adherents of the monarchical principle who had previously abandoned him, and by persisting in making a martyr of him, by taking him out of this German pillory and by putting him on an international pedestal,

we have already opened the door to a restoration of the Hohenzollern dynasty as a constitutional monarchy. This would mean a restoration of Junkerism and Prussianism, but not of Kaiserism. That peculiar blend of divine right and demagogy is gone for ever.

And what about Junkerism? That cannot be so shortly answered. Junkerism expresses itself in both regions of the ruling class to which Germany has been hitherto subjected—the civil and the military. It is the evil genius of both those great services; and seldom has the world produced public services with so much power for good in them and so much evil as in the German army and bureaucracy. And it is indisputable that the fate of Germany and the future of Europe now depend on whether the revolutionary spirit is strong enough to exorcise the evil genius of Prussianism and of Junkerism from the army and civil service. But the question as to how far, so far, Germany's good angel has fired its bad one out can only be answered as yet by a careful and impartial observation of events in Germany since the revolution. And if these events seem to suggest that the revolution has lost its impetus and that reaction has dominated it, let us remember that the results of a renascence of public conscience, such as occurred in

the November revolutions, should be estimated by comparing the concrete conditions of to-day, not with the abstract principles then for a time extant, but with the concrete conditions existing before the upheaval.

As most have already got or can easily get a general knowledge of what general conditions in Germany were before the revolution of November and of what were the general principles promulgated by the revolution, much of what follows will consist of evidence as to how far the revolution has so far failed in realising those principles. For revolution has now resulted in a reaction in which every vantage point gained by the first revolutionary rush is counter-attacked and every early victory is contested again. As every consequent loss cannot be referred back to the deadlock before the offensive the general impression is that of failure. But the Prussianism that now fills German prisons with political suspects is rather a reflection of reaction abroad than a revival of the ancient *régime*.

By the first rush of revolution in November 1918, the military power of the officer caste was broken and the political power of land and money was reduced to insignificance. But there was no strong obstacle to their recovery, and the power of the bureaucracy was unimpaired. Though the

instigators of the crimes of the old *régime* had been removed, the instruments remained; while the 'Independent' intellectuals, the public prosecutors of those crimes, were before long voted down. And yet before we refuse absolution to the new German democracy we must be quite sure that these relapses are real unregeneracy and not reactions caused by fear of Russian revolution on the one side or Allied retribution on the other. We can only judge of this by reviewing the revolution.

The history of the German revolution can be shortly described and sharply defined. After the first explosion on November 9 came a month of equilibrium between revolution and reaction. Then a month of which the first fortnight was a swing slowly to the right until the breach with the Independents on December 24, and a swing swiftly the second fortnight until the fighting with the Spartacists in January. Thereafter a month of rapid return to the point where it was before the explosion, a point reached with the formation of the Coalition Government by the National Assembly on February 13. Indeed the Government of Scheidemann only differed from that of Max von Baden in being one degree more to the left, a development which was due in any case apart from the revolution.

The German revolution is peculiar in having

reached its highest point at once and in having then relapsed to where it started from without any positive reaction. This in itself suggests that it was due in its origin to external forces—propaganda from Russia on the one side and pressure from us on the other. Our military and naval pressure broke first the prestige then the power of Kaiserism and Militarism, while the Russian precedent gave the forces of rebellion and revolution a practical example how to express themselves in co-ordinated councils of workmen and soldiers—the Soviet system. We knocked German Kaiserism out of the saddle, and Russia gave German Socialism a leg up. And that's why it went so far so fast.

That's also why it never got anywhere. For it came to power before it developed its own personalities and policies, and it had, therefore, to put its trust in pre-revolutionary politicians. The Council system had no time to produce leaders—men with enough confidence in their own position and enough character to impose themselves on the permanent officials. The Central Council—the true revolutionary Executive—and the Congress of Councils—the true revolutionary Legislature—never got any power. It was all monopolised by the People's Commissioners, who were not really a revolutionary institution at all, but an ordinary Provisional Government of

parliamentarians. And though they nominally held their mandate from the Congress of Councils a majority of them considered themselves as trustees for a Constituent Assembly. Such parliamentarians could work well enough with the permanent officials, and, indeed, welcomed their assistance. Whereas the councils, of course, came into violent collision with them.

Where the council system prevailed, as in the army, it made a real revolution, and broke the officer caste until the Frei-Corps replaced the conscript army. But the workmen were not so drastic in the civil service as were the soldiers in the cadres, and they allowed the parliamentarians to spare the Amalekite. Only the political heads of departments were replaced by Social Democrats; and, in one case I know, a revolutionary Minister allowed his predecessor, out of courtesy, to keep his official residence. This was, of course, all very nice, but it meant that the old machine was not broken up, nor even brought under control. The result was that a coalition between the mere reformers among the commissioners and the civil servants was enough to counter-balance the more revolutionary commissioners and the councils; until finally external circumstances determined the deadlock in favour of the former.

The German revolution never took its Bastille in the Wilhelmstrasse. The sentries set by the Soldiers' Councils at the doors of the Government offices, who loudly demanded your pass and only looked foolish if you ignored them, were symbolic of the failure of the German revolution. So insignificant were these sentinels of revolution that no one saw the significance when they were finally replaced by steel-helmeted Frei-Corps mercenaries last April. By the first week of December it had become evident that the course of events was leading away from the Congress of Councils to the Constituent Assembly, and away from social revolution to political reconstruction. The Central Council that should have been the driving-wheel of the Socialist engine was becoming no more than a drag shoe on the old State coach.

Before the German revolution was a month old—that is, by the end of the first week of December—it was entering its second phase, in which the Parliamentary Commissioners having ousted the proletarian councils from control, then divided among themselves into reformers and revolutionaries. And at the end of the second phase, early in January, we find that the reformers have ousted the revolutionaries.

This came about thus. The German Social

Democratic Party was professedly revolutionary. Its political attitude had been traditionally one of refusal of all co-operation or even compromise with the imperial political system. On this negative basis it had been possible to combine in a common front comrades of very different points of view and of political thought. But this superficial solidarity could not stand the strain of the war. A sense of patriotism carried one section—the Majority Socialists—first into countenancing and then into supporting the Government; while pacifist sentiment against war in general, and this war in particular, carried the minority into more obstinate opposition. This finally split the party much as it split our Labour Party. The Majority Social-Democrats moved towards the Government, while the Government towards the end of the war came to meet them. Until finally the Ministry of Prince Max of Baden, that ended the war, not only represented the Reichstag majority, but also the Majority Social-Democrats.

When Prince Max went down in the revolution, he remitted the reins of government to Ebert and Scheidemann. They, knowing that alone they could not rule the whirlwind, called in the Minority Social-Democrats—the Independents, offering them equal representation in the Cabinet,

then called the People's Commissaries, and in the Central Council. This arrangement was ratified by the Congress of Councils, though very perfunctorily, as it was considered only a provisional makeshift.

Now, while the Social-Democrats of the Majority were just parliamentary reformers, the Independents of the Minority, Haase and Kautsky, were revolutionaries. Liebknecht was a radical revolutionary who would not come into the Coalition. Consequently, whereas Ebert and Scheidemann considered themselves as merely Commissioners to prepare a Constituent Assembly, the Independents considered themselves Commissaries for the Congress of Councils. The former considered the revolution was probably unnecessary, and in any case had done its work in preparing the way for universal suffrage and a united Germany. The latter considered that the revolution had only begun, and could only do its work through the Soviet system and a general socialisation.

The first serious difference came over the Poles, with whom the Independents had practically concluded an arrangement which was, however, upset by Landsberg, a Jew from Posen, one of the People's Commissaries. Then came serious differences over German policy towards

the Entente. The Independents were in favour of admitting culpability in the war crisis, Belgium, submarine warfare, etc., and of accepting such liability as might be shown to be equitable, while frankly discussing such assets as could be realised in payment. This the Majority rejected, preferring a negative policy of passive inaction. But the final breach came over internal policy and the use of force against the revolutionaries, the Communists, who were trying to force the revolution out of the rut of parliamentary reform into which it was slipping.

This Communist Left, commanded but not controlled by Liebknecht, was working for a second revolution in alliance with Russian agents. Its fighting faction, that called itself "Spartacus" —with the accent on the second syllable—was strong in the industrial districts of the centre and west, among the sailors in the coast towns, and in Berlin. Its ranks were filled rapidly with discontented workmen, disbanded soldiers, and "derailed" youths. Rifles were plentiful, and against such irregulars, supported by sailors, the Government was at first helpless. But as the regulars that had kept their ranks returned from the front it was found that some regiments were ready to act against the mob. Such a policy was denounced by the Independents, Haase and

Kautsky, while Ebert, perhaps also Scheidemann, had doubts; but Landsberg, who had found a strong man in Noske, the Prussian War Minister, drove matters to a breach. On the first fighting with the sailors at the Marstall on December 23, Haase and Kautsky resigned. Thus the intellectual and idealist element of the revolution was removed from all influence over the conduct of affairs. The result was to cause in January a fight to a finish between the Real-politikers of the Government and the Radicals of the Opposition.

Police precautions against the Russian agents, combined with a Press propaganda against the Spartacists, provoked the latter to action. They seized the offices of the *Vorwärts* and other papers most offensive to them, and used them for publishing their own pamphlets. They had not apparently planned anything more than a demonstration, and did not anyhow exploit the success they had seized by surprise. The Government, however, after some difficulty in concentrating and supplying sufficient troops, converted the "putsch" into a pitched battle. Noske regulars with all the machinery of modern war, made short work of the half-hearted half-armed irregulars of Eichhorn, the Spartacist Police Commissioner. The revolution was crushed in Berlin

and driven back to the coast ports, whence it came and whither it could later be pursued. Liebknecht and Rosa Luxemburg, its Berlin leaders, were arrested and at once brutally murdered by their escort with the approval and assistance of the officers in charge. This murder, perfectly well known in Berlin at the time, was only proved by court-martial four months later, after which the culprits were allowed to escape abroad.

So the Independents having committed harikari and the Spartacists being hoist with their own petard, middle-class and moderate Germany heaved a sigh of relief, and hoped that the bogey of Bolshevism was buried. The elections to the National Assembly were held a few days later without disturbance, and the German revolution entered its third and last phase.

The German revolution which began in November—in old German the "Month of Fogs"—and ended in February—the "Month of Fools"—was fogged from the beginning and fooled to the end. Its third and last phase began about the middle of January with the establishing of provisional government by the moderate Majority Socialists, the crushing of Spartacus, and the elections. The radical opposition had tried to delay the convocation of the Constituent Assembly, partly because it was for

the moment discredited by its secession from the Coalition and its connection with the Communists, and partly because it recognised that a reaction towards nationalism and conservatism had already been set up by the attitude of the Allies and would be given exaggerated expression at the polls. The drift of a weakened and wearied mass can raise a dictator to "save society"; only the driving power of a devoted and determined minority can realise a social revolution. But the Independents had missed their opportunity of seizing power and securing such foreign support for the revolution as they had earned by their attitude on the war. Their subsequent policy of obstruction had as little success as it deserved.

By the middle of February, when the new Government was proclaimed at Weimar, a communist revolution had been converted into a constitutionalist reconstruction; and that this corresponded with the desire of the majority of the people was shown by the election result. Every man and woman over twenty was entitled to vote, and a high percentage did so; while the system of proportional representation employed, whatever its defects, at least gave a fair numerical representation of the party presentments of public opinion. As in the English election, nationalism decided the issue in favour of the

party in power. The Independent opposition was discredited by Bolshevism, the Conservative opposition by Kaiserism. Apart from the women the Social-Democrats would probably have had an independent majority ; but, as was shown by the Pfalz results in which the women's voices were kept separate, they were more conservative and clerical than the men. As it was, the Majority Socialists with 163 out of 423 members were forced into alliance, not with the Independent Socialists who had only 22 votes, but with the Democratic Liberals who had 75. And as this relieved them of all responsibility to the revolution there was no reason why they should not further strengthen their parliamentary position by taking in the Clerical Centre with its 55 votes as well. And thus Germany got from losing the war a coalition as strong parliamentarily and as weak politically as that which winning the war gave to us.

While the revolution was being side-tracked in Parliament, it was being sandbagged in the Proletariat. A division of Frei-Corps with all the machinery of modern war, tanks, aeroplanes, etc., was sent against the north-western coast ports where the revolution had originated and where Spartacus was pursuing its policy of aggravating the food difficulty by preventing the

sailing of food ships as arranged under the armistice. Bremen was entered by force, after fighting; and the other towns opened negotiations. On the eastern frontier a front was formed against the Poles, who had occupied nearly all Posen province, and fighting continued until the Allies stopped it. Great efforts were made to get together some sort of effective force as a basis for government; and the resultant Frei-Corps, though at this early date still few and inferior, were already enough to give check to the "Bolshevist" menace within and without the frontier. Meantime the whole "soviet" system of councils was practically 'frozen out' and politically 'snowed under.' The Central Council was got to abdicate in favour of the Constituent Assembly: the Socialisation Commission to which execution of the economic revolution had been referred, resigned *re infecta*: while the Workmen's and Soldiers' Councils were quietly ignored. A Provisional Constitution was published in which all ideas of a centralised Socialist republic were abandoned, and the federal Reich was restored with the substitution of presidents for princes. Finally the seat of the Assembly was transferred to Weimar, professedly to steep it in the sedative atmosphere of the old pre-Prussian "Kultur" of the philosophers and poets, and practically

to withdraw it from the too stimulating atmosphere of Berlin, which was still an Independent stronghold. Even so might a demoralised and democratised England placate a victorious and Victorian America by transferring parliament to the Shakespeare Theatre at Stratford-on-Avon.

All these strong measures were really signs of weakness. Spartacus had to be put down to please the Allies, the Poles pushed back to please the nationalists, the Clericals bribed with Government posts to counteract French bids for their support in separatist intrigues. The constitution had to conciliate particularist sentiment in Prussia and the southern principalities because this sentiment prevailed in the general exhaustion of national and revolutionary forces. The old driving power of national sentiment, so much abused during the war and that might still have been called on for a desperate national defence, was worn out. The new energy of the revolution had been wasted; and the country, so far as its government was concerned, was back where it was when the revolution broke out, materially much the worse for its three months' excursion into revolution. In a word, the spirit of the new German Government was diplomatic not democratic. The revolution had come full circle and the Scheidemann Government of April

might have been the Government of Max von Baden of six months before.

Morally, however, it was not the old Germany that had bowed before the "forty-seven Princes hats." It had brought back with it from the perilous peaks and bottomless abysses of revolution a wider outlook and a deeper insight. And if it returned from its adventure only more weary and wasted it had at least learned to lift up its eyes to the hills.

CHAPTER II

THE REACTION

JUST a quarter of a century ago I arrived in Weimar fresh from Eton, and as a budding diplomatist was invited to dinner by the Grand Duke. The ceremony was a credit to the Court of Pumpernickel. Exactly a week before there came caracoling to the door what might have been one of Napoleon's marshals, and was one of the Weimar army. For Weimar had then an army whose business it was to deliver invitations about a foot square.

Then on the evening itself and just half an hour before dinner, appeared a Court carriage and pair, in which you drove through the ancient Barbican of the Castle to a flourish of trumpets. Next came presentation to Serenissimus, a very big, very grand old gentleman, who was always urbanely inane except when he was inanely urbane. After that came presentation to the Grand Duchess, a very little, very grand old lady,

who sat in a glass case. This was said to be on account of draughts, but she looked so fragile and precious that no maid could ever have been trusted with dusting her. The only time I ever saw her taken out of it was for a presentation of Orders of Merit to deserving domestics—an institution of her own which Royalty might adopt with advantage in these days when K.C.M.G.'s are commoner than kitchen maids.

And now arriving in Germany fresh from the Army, I was again invited to an evening party at the Schloss. But times have changed and the Schloss has been promoted from the seat of a Grand Duke of a mediatised and mediæval principality to the seat of government of a modern and middle-class German Republic.

The guard in the old Barbican no longer proclaimed my arrival on a trumpet, but presented a very business-like looking bayonet. Inside the Castle the State apartments were severely bare, as befits democratic simplicity. And instead of bland and blethering Serenissimus I was received by Scheidemann blandly, blandishingly serene. Instead of gold-laced grandees dining off gold plates I find a job lot of journalists bolting "belegte Brödchen"; and if there were fewer good things to be eaten there were many more to be heard. Everything struck me first

as completely different and then as curiously the same as ever. Only the Dresden china Grand Duchess had no republican reincarnation.

And perhaps some day I shall find a still newer Weimar, the centre of a twentieth century Germany that will rise from the ashes of the nineteenth century and the dust of the eighteenth. Not the picturesque, poetic Weimar of the past, nor the practical, prosaic Weimar of the present, but a Weimar of wide vistas and broad views, in which Young Germany will learn to plan the future.

And as I dreamed of this new Weimar, walking back through the moonlit streets of the picturesque old town I was roused by the rumbling of field-guns on the march against the revolution. The drivers and gunners, hidden under their helmets and heavy cloaks, hunched on their saddles or huddled on the guns, were borne by slowly, silently, shapeless shifting shadows, passing out from the town where a few lights still shone, into the dark. The New Germany is not yet.

In the old days, when Weimar was only the German Stratford-on-Avon, the theatre was the centre of local society. The first thing you did on arrival was to present yourself and a box of cigars to the old gentleman in the box-office and get a seat for the season from which you could survey from a respectful distance the social

lights on the stage and the serene luminaries in the Grand Ducal box.

But nowadays, when the stage of the Weimar Theatre has become the seat of Government, it is as hard to get a ticket for a session of the Assembly as it used to be for the Selamlik of Abdul Hamid. Incidentally, Germany is to-day much more like Turkey than its old, well-fed-up, well-fitted-out self. Dingy soldiers everywhere, dirt, decay and deprivation everywhere, listlessness and laissez-faire on the surface, with unrest and upheaval below.

But once inside the theatre things are not so different from the old days. The young ladies from the pensions can still "schwärmen" for the debonnaire premier Scheidemann or the distingué Brockdorff-Rantzau, or "schauern" at handsome Koenen, the saturnine Tribune of Halle, or at Merges, the hunchback tailor of Brunswick. But personally I find a Weimar "Full Session" about as entertaining and enlightening as was Weimar Grand Opera. A stout elderly gentleman advances to the centre of the stage and reads steadily and stolidly through a pile of typewritten recitative. The Independents, who go in for bravura and even gag a little, are now nearly always away on tour in the provinces. So the Assembly can continue daily from three

to six digesting a pleasantly conservative Constitution and a pleasingly liberal lunch. For Weimar is an oasis of peace and plenty in a land swept by famine and fighting. Yet even the sleepy backwater of Thuringia has become a whirlpool of revolution, and Weimar was then ringed in by a region of revolutionary strikes that threatened it from three sides. One day a scouting party of Spartacists would be arrested at the station, on another the line to Berlin would be cut by a strike in some northern town.

The first week of the National Assembly was nominally occupied with such formal matters as appointing a President, voting the provisional constitution, pronouncements on foreign policy, and programmes of legislation. But naturally what most concerned everyone was the novel and fascinating business of Cabinet-making. The game was played with great spirit up to the finish, and the night before the final announcement had to be made the Cabinet was once more reconstructed.

It was hard on Germany that its first-born Cabinet should have been triplets, a trinity of the three co-eternal and co-equal parties—radical, neutral, and reactionary. But if the present political system was to be maintained and given a majority its Social-Democratic supporters had

to be reinforced from the two parties next to the right, the Democrats and the Centre. For the Independent Socialists to the left were intransigent and in voting power insignificant.

So, after a long haggle between the party leaders as to the number and nature of the posts each party was to have, there followed another hard fight as to the persons each party should nominate for their posts.

It would have required a strong Government to reconstitute the German polity, reconstruct society, restore solvency, and revive economic vitality, especially after so much of the momentum of the revolution had been lost. And the men who had come to the top in the old Reichstag days were not such as to compensate for want of power in the machine. The new President, Ebert, the saddler of Heidelberg, had effaced himself during the storm of the revolution and has apparently been eliminated altogether by his new responsibility.

The Premier, Scheidemann, on the other hand, showed himself to be an able and active politician who could speak well on any subject and sing many songs without book. A clever man, but not the compelling personality to control the dynamic forces of Socialism or to coerce the static forces of Separatism.

His second in command in the difficult task of making a working Constitution was Preuss, the Minister of the Interior, a Jew, a jurist, and an adjuster. A man with great finesse, but little force. The questions of the constitutional future of Prussia, of the South German States, of the North-Western Republics, of the Rhine province, and of German-Austria, treated by adjustment along a line of least resistance, seemed likely to be interminable in their intricacies. Dr. Preuss, clever as he was, soon got into a terrible tangle trying to untie knots that would have been cut by the revolution.

The post third in importance, Foreign Affairs, a non-party appointment, was retained by Count Brockdorff-Rantzau—no longer "Dr. Rantzau" —since Counts, as he told the Assembly, can be democratic. He had both character and capacity, and if he achieved no success either at Weimar or Versailles he behaved with dignity under most distressing conditions.

Of the remaining Ministers Landsberg at Justice, a red Jew from the province of Posen, who was one of the Provisional Government and previously a People's Commissary, had a singular and somewhat sinister reputation. He was held responsible by those who knew for the policy of breaking with the Poles and with Spartacus.

Bauer at Labour was a trade union politician, a bourgeois turned bureaucrat. He is now Premier in the Government that signed the peace.

Noske at Home Defence (not "War," mark you, Germany has had enough of war), is the well-known Prussian Minister, the "Saviour of Society," the *Bolsheviktonos.*

Wissel at National Economy had a post with possibilities, but nothing so much became him in it as the leaving of it—when he found nothing could be done.

These were all Social-Democrats and constituted such driving force as that Government had. The inner Cabinet consisted of Landsberg, Noske, and Scheidemann—brain, backbone, and jaw. Heart it had none.

The new Government was, then, a Coalition between pre-revolution politicians, and its programme had to be a compromise between pre-revolution policies. It was only a Government to tide over a crisis and give the country time to recover itself. But it was at least composed of experienced parliamentarians who kept up appearances and did their best to reconstruct with pen and ink the State that Bismarck had wrought with blood and iron.

The debate that followed the announcement of the new Government showed clearly enough that

the three parties of which the Government was composed, though they parliamentarily formed a bloc and socially represented the Burgerstand, yet politically had a different basis and a divergent bias. Red, white, and black make a very effective national colour, but whether red Socialism, a colourless Liberalism, and black Clericalism can make up an effective Cabinet seemed more than dubious.

Scheidemann, as Premier, opened the debate with a fighting speech for Social-Democracy. He threw the responsibility for the misfortunes abroad on the Right, the responsibility for misunderstandings at home on the Left, and proclaimed that the Government would work methodically at realising the results of the revolution.

He was followed for the Centrum by the venerable Gröber, who preached a sermon to the effect that all Power was from on High, that the revolution came very much from below, and consequently the only things left of any importance were State rights, rights of property, and the Church of Rome.

Thereafter came Dr. Naumann, for the Democrats, with an eloquent funeral oration, in which he buried the monarchy, wept over the lost colonies and provinces, and prayed that all

of Germany that was left might live in unity.

Here we have the three points of view—the Radical reconstructionist, the Clerical reactionary, and the Liberal rhetorical—red, black, and white.

And the Government's programme presented the same parti-coloured patchwork. In foreign policy: an early peace on Wilsonian principles, restoration of the colonies and prisoners, equal participation in a League of Nations with mutual disarmament, compulsory arbitration and no secret diplomacy. In internal policy: democratic administration, ditto education and army, economic reconstruction, rationing, public control of monopolies, especially mines and power, right of association and wage boards, public health, rights for civil servants, agricultural development and settlement preferably on reclaimed land, taxation of war profits, income-tax, death duties graduated but not confiscatory, freedom of conscience, freedom of the Press, freedom of meeting—all sorts of freedom.

Obviously, there was nothing very red or revolutionary there, or rather the red was so cautiously peppered into the black and white that the net result was a colourless Liberalism. It was perhaps no less symbolic that the Assembly

substituted the black, red and yellow of the Frankfort Liberalism of '48 as the new national colours. German Liberalism has always had a yellow streak in it.

The failure of Weimar is the failure of German Liberalism. German Liberalism always has failed Germany, and to this may be attributed the periodic catastrophes of Germany and the calamities they have brought upon Europe. German Liberalism fell an easy prey to French Imperialism in the Napoleonic epoch and to Prussian Imperialism in the Bismarckian epoch; and the one result of German Liberal movements has hitherto been to drive abroad the flower of the German "intelligentsia." The descendants of the "forty-niners" in England and America have been as valuable an element as were the Huguenots of France or the Flemings from the Netherlands, and they have joined heartily with us in overthrowing the despotism that exiled them. But if they had been a bit tougher and had fought their own fight out a half century ago they would have saved Europe and Germany the last five years. And the process is repeating itself. Weimar has failed, so far, more miserably than did Frankfort a half century ago. The failure of Frankfort was the failure of political inexperience—that of Weimar has been the

failure of political impotence. Frankfort was over-confident in this power of popular idealism. It thought a revolution for right and reason could be made by righteousness and reasoning. Weimar was too cynical to think that the ideals of the November revolution could ever be a power at all in the Europe of the Paris Conference and of the Russian campaigns. Frankfort failed because its Liberalism was too young. Weimar is failing because its Liberalism is too old.

German Liberalism and its institution parliamentary party government failed in the first place because they could not come to power before their day was already past. In the second place they failed because when their ideals did get realised they did so without opposition and consequently on too theoretic lines. The German system of proportional representation for example is the most accurately and equitably representative of all electoral systems. But it did not provide the one thing Germany wanted, a powerful and popular Government, and it did a fatal injury to Germany by helping to split the Socialist party. Thirdly German Liberals failed because their leaders were men grown middle-aged and muddle-headed in hopeless opposition. They had consequently neither the energy nor the experience for popular leadership.

And fourthly they failed because the peculiar combination of nationalism and internationalism that constitutes Liberalism was deprived of all prestige with the German people by the policy followed at Paris. This policy made it almost impossible for a German to hold any middle position between extreme nationalism and extreme internationalism. Weimar lost its best chance of acceptance when the German parliamentary State was excluded from the League of Nations.

And yet Weimar and German Liberalism had everything in its favour in the autumn of 1918. The reactionary factors that had so little difficulty in stultifying the Liberalism of Bethmann-Hollweg, von Kühlmann, and their predecessors were cancelled for the time being. Parliamentary government on the party system, the form of government developed by Liberalism on the English model, never having had a trial in Germany was accepted by nearly all political minds as the panacea. The minority of extremists who already advocated Council Government on the Russian model as the only political system that could realise the revolution had not as yet converted any large body of workmen. The Trades Unions held the workmen to the parliamentary system, and only some of the soldiers

and most of the sailors were really revolutionary. The idea that the Soldiers' and Workmen's Councils could be anything more than a mere improvisation for destruction and could have any constructive, still more constitutional, function never entered the heads of any political thinker. Even Liebknecht joined the Coalition Provisional Government and only withdrew on second thoughts that were probably those of the much more far-sighted Rosa Luxemburg. The surrender of their authority by the Peoples' Commissaries to the Constituent Assembly in December was received without criticism, and the subsequent similar surrender by the Central Council passed almost without comment. Germany was to have the most liberal of constitutions and that was to be enough for the realisation of the German revolution and for the reconciliation of the enemies of Germany. It was only as the weeks and months passed and it became evident that German Liberalism, whether expressed in the diplomatic ideals or the democratic institutions of Weimar, was doing nothing either for the revolution or the reconciliation, that the German workmen began to pass over to the revolutionaries. Then, before very long, this political process expressed itself in local strikes and street fighting. The centre of political disturb-

ance and development moved away from the theatre at Weimar to the streets of Berlin and of the industrial towns.

No doubt it was good policy in one way to transfer the Constituent Assembly to Weimar. An Assembly whose vitality is that of an elderly politician after a contested election and whose voice is that of a tired lawyer talking in his sleep, could not make itself heard, still less felt, against the violence, and volleyings of modern Berlin. Whether its work will be worth much must depend on how slow things move. They could easily move too fast for the pace of the Assembly. But at least as Dr. Preuss said to me of his Constitution—"it will not get in the way of anything better." One thing was certain, that the Assembly rested for its sanction, even for its survival, on the Government, not the Government on the Assembly.

And listening to a deputy in the Tribune reading a treatise on Constitutional niceties as to federation and free-state-rights, I think of the previous afternoon, when I was listening to a street orator in Halle shouting very nasty and unconstitutional tirades about food and freedom to an armed party of soldiers and workmen about to attack the Government troops. And then, again, I think of an afternoon in the Weimar

Theatre a quarter of a century ago. A prominent member of the stock company of these days was an old horse blind of one eye—who was always led on with his blind side to the footlights. On this occasion he got turned round, and realised for the first time what a fool they'd made of him for years—and the rest was chaos and the curtain.

The Constituent Assembly has determined the Constitutional future of Germany, but the fate of Germany has not been decided there. The struggle between revolution and repression has not been fought out between the stalls and the stage of the Weimar Theatre, but in Berlin and the other big towns where the Government speaks with minenwerfer and machine-guns, and the Opposition obstruct with barricades. While the pressure of general strikes and local street fighting has won a constitutional recognition for socialising property and for sanctioning the council system never contemplated by the most revolutionary Parliamentarians, on the other hand class war has given reaction the support of the whole country against the working class.

The stagnant stodgy atmosphere of Weimar was very different from the starved and struggling air of Berlin. Though at first sight Berlin did not seem any more alive than

Weimar. For Berlin to-day is a town of deserted temples and of dethroned gods. All along Unter den Linden—from the Temples of Mammon—the great hotels, to the Temple of Moloch—the imperial palace—everywhere is decay and dilapidation, an abomination of desolation in every façade and on every face. Mammon has indeed come off better than Moloch; for the palace and public buildings are shattered with shell and starred with shots and the balcony where the War-Lord appeared to his worshippers has a hole in the middle. Whereas the shrines of Mammon are full of worshippers from all quarters of the world. The hotel lobbies are crowded with vulture-like profiles brooding over the carcase of German economic enterprise.

Yet Berlin, though dirty and dilapidated, is by no means dead but the centre of the conflict between two faiths—two religions. For the revolution has ended the foreign war only to begin a civil war between nationalists and internationalists. On the one side, the Old Believers in the Orthodox Faith of nationalism, founded on wars of liberation, fomented by generations of political propaganda and excited to fanaticism by a war against the world. On the other side the new Dissenters of the revolution preaching internationalism and a Commune of

Heaven in which only the poor shall have a place. In December internationalism was dominant in Berlin; nationalism was developing under pressures from Paris; while imperialism was dormant. For at this time in Paris the internationalism of Wilsonian principles was still counterbalancing imperialist and nationalist policies of the Allies. It was curious to note as the issues at Paris were decided one by one against internationalism how nationalism ousted internationalism from control of policy in Germany. By the time the Treaty of Versailles was published the old orthodox factor was again firmly established and the dissenters—the revolutionary internationalists—had been driven into the wilderness.

Any Sunday morning in Berlin during the sessions of the Paris Conference would probably have given more than one opportunity of observing the revival of the only real religion existing in modern capital cities—nationalism. On one Sunday I have in mind there were several protest meetings against the proposals reported from Paris for partitioning off German populations in the Saar district, West Prussia, Danzig, German Bohemia, and the Tyrol, and for preventing the union of German-Austria. For instance, you might have gone to the Sport-Palast with Erzberger in the pulpit. I myself

did not. The rotund, rubicund, ebullient, emollient Erzberger, ex-Minister of Propaganda and delegate to Spa, who looks like Winston Churchill turned Papal Legate, was too ritualistic for me. I went to a " service " at the Circus Busch, where the sermon was broader.

Come with me then along Unter den Linden past the gilt crosses and cupolas of the Evangelical Dom and the shell-shattered sham classic façade of the Imperial Palace—deserted shrines of the faith—to a very dilapidated and dingy circus. There was a time when the Protestants of Germany were driven into the depths of the woods and the dens of wild beasts to hold their services. And to-day we find the pastors of protestant nationalism symbolically perched on pasteboard rocks amid woodland scenery, with a very realistic atmosphere of menagerie. The congregation is characteristically middle-class and by no means so formidable in appearance as the hungry, haggard workmen and their women that we should have found in a meeting of the dissenting internationalists.

As we come in Freiherr von Richthofen is perorating a sort of commination service, each verse of which is received with a loud response. The Paris Conference is worse than the Congress of Vienna (ah). France is outraging and robbing

Germany when wounded and a prisoner (aah). But not a yard of German soil shall be surrendered without consent of its population (aaah). Germany can be dissected alive, but England will be disgraced and America dishonoured (aaah), and a time will come when such outrages will find their retribution (AAAH). A roar of applause which rouses the wild beasts in their dens, so that they roar in unison. The Paris diplomats have at last succeeded in stirring up again the weary wolves of war where they were lying licking their wounds.

But then, like a thin trickle of cold water into a boiling pot, comes the aged, anxious voice of the patriarchal Bernstein. He begins by reading the resolution of the Berne Conference; but we are here to attack the Paris Conference, and get restless, shouting "Zur Sache" (come to the point). He speaks of the fair-mindedness of the British delegates there, trade unionists as well as independents, and concludes that England as a people wishes to be fair to Germany; this can even be seen in developments at Paris. But we don't share this optimism—*Blödsinn* (bosh), is about the mildest of our interjections. Still Bernstein, nothing daunted, maintains that if Germans bring facts before the English the English will be fair. "Quite true," shouts an

elderly man near by. "What do you know about it?" cries a youth some rows away. "I have been longer in England than you have in the world, *Lausbub*," retorts the man.

Bernstein again becomes audible, talking about Alsace-Lorraine. Once we might have appealed to foreign fairness there, too, he says, but now it is too late. Alsace-Lorraine is lost, and we lost it. This is too much for us, and we shout: "But you're speaking for partition. *Quatsch!* (bosh). *Parteibrulle!* (party claptrap), etc." Bernstein dominates the storm enough to shout: "You have been so long fed on lies you can't swallow the truth." But we are not here to have truth shoved down our throats.

Eduard Bernstein withdraws—a prophet without honour, he has this week both left the opposition party and lost his Government post. He is followed by the representative of German-Austria, the new type of professor-politician, with a Victorian appearance and a Wilsonian address—very earnest and emphatic. The union of Germany and German-Austria is, he maintains, an internal affair and quite inevitable. We give Professor Hartmann a rousing reception, and file out into the cold, clear winter weather of Berlin.

Outside is a large black, red, and gold Repub-

lican flag, and a number of enthusiasts carrying placards, "No partitioning of Germany," "No peace of violence," and so forth. A long procession forms and moves off. Look at that group, mostly elderly men and women of the middle class, thin and threadbare with the look given by hardship and hunger that once in Germany one saw only in paintings of the Middle Ages—dull faces, but not without devotional fervour. So they shuffle along round a placard inscribed "Wilson's Fourteen Points," as their ancestors once shuffled in procession for Luther's theses. Unhappily Wilson did not succeed in nailing his theses to the portals of the Quai d'Orsay.

We reach the Wilhelmstrasse, where we join the processions from the other meetings. All learn with gratification that the Sport-Palast has hooted Erzberger because he won't declare for a restoration of Posen to Germany, and that the officers' meeting passed a resolution calling for the exclusion from the peace delegation of the internationalist Professor Schücking. The procession from the officers' meeting is headed by a band playing "Deutschland über alles," and by the old black, white, and red national flag, which is fast becoming the standard of reaction. After the Finance Minister, Schiffer, has welcomed our quite unobjectionable resolution from a balcony

of the Reichskanzlei, a young officer suddenly appears in another balcony waving a black, white, and red flag, and adjuring us to swear loyalty to it. We are prepared to swear anything by now without much bothering what it is, and find ourselves being moved along towards the Tiergarten.

As we pass the British Embassy suddenly the officers' procession begins to shout and wave to a flabby-faced portly person bowing and smiling on the kerb. Ludendorff! By the undying jingo! Well! what next? Then to Bismarck's statue, where officers offer tributes of rhetoric and wreaths, and finally a schoolboy, climbing the pedestal, calls for cheers for the Kaiser, while a claque below start up "Heil Dir im Siegerkranz." But this is a bit too much for the bystanders. "Where's your Kaiser? Where's your Victory?" shouts one. "You give us the Kaiser," growls a soldier behind me, "and we'll give him a wreath all right—round his neck, and pulled tight."

The German dynasties exploited Luther and his Protestant movement. I doubt they will succeed in exploiting the national protestants of Germany, who are revolting against the infallible imbecilities of diplomacy. But undoubtedly our demagogues and diplomatists have succeeded in

setting up again the idols our soldiers and sailors had overthrown.

The scene described above took place in March and then it was already becoming difficult to see the other side of Berlin political life—the internationalist and revolutionary. Reaction had begun to drive revolution underground and revolution was resisting spasmodically in eruptions and explosions. Let us take another day in March, one during the street fighting, to see what this other side of life in Berlin was like.

Before the war the life that filled the public places of Berlin was as vivid and vivacious as it was vulgar and vicious. Unter den Linden was like a scene in a second-rate revue; the company in one of the rococo restaurants was like the food, exuberant and cheap, but neither interesting nor choice. Nowhere were nouveaux riches so obviously new and so obtrusively rich. Everything was bright and loud, everyone looked overfed and over-dressed. Materially there was a sort of red-faced, raucous-voiced rotundity about Berlin. Morally it was in a decadence like that of the Second Empire at Paris when a charlatan despot and a cheap-jack Government were trying to dazzle the eyes and distract the ears of a half-deluded public.

But now, after four years' war, Berlin is like an Empire Exhibition that has been deserted and decaying through the storms of four winters. The stucco ornaments have fallen, the gilding is long gone, and the whole structure is rotting away.

Indeed, the first impression you get is that both city and people are dying of a decline. The people, like their houses, are dirty and dingy; everywhere crippled beggars and ruined or unroofed buildings show the direct effects of war. Clothes are threadbare, faces thin. Stalwart, straight-backed Americans, warmly clothed and well fed, stand out like solid shapes among shadows. As they stride through the streets you expect to see them pass through these grey, drifting figures as through ghosts.

Yet there is life still in Berlin, for men must be alive who can face death for a cause, whether it be for law or for liberty. But you must go further afield to find it than Unter den Linden where are haunting only ghosts of the past. We are hunting the genius of the future.

We shall be out all day on this hunt, and had better breakfast on bully beef and biscuit—a present from American friends—for black bread and substitutes are no foundation for a long walk; and of the vast transportation system of under-

ground and overhead trains, electric trams, motor-buses, and taxis that used to carry over three million passengers daily, little indeed is now left. Moreover the wretched remains are to-day tied up by the general strike and street fighting. And so, avoiding the streets where sniping is in progress or barb-wire barricades threaten a search for arms and inspection for passes, we come to the General Assembly of Berlin Councils —that for the moment alone retains political control of the situation, since the Government took military command of it by the severest form of martial law and the general use of machine-guns.

Here we find a large music hall which before the war was a typical scene of flamboyant Berlin night-life. On this grey winter's morning it is crammed full of grimly earnest men—the delegates. On the stage is the Executive Council. The chairman the Independent, Richard Müller, is of the pastor or professor type—his colleague Däumig a heavily built, grey-haired man, might be an English engineer or merchant captain. On the left of the hall are the Communists, in the middle the Independents, and on the right the Social-Democrats, with a little knot of Democrats —the two latter parties supporters of the Government and opposers of the strike—but in a minority here. The business before the Assembly

is the filling of the vacancies on the Executive Council left by the Communists who seceded from it when it declared the strike off, and the appointing of delegates to the National Congress of Councils which is to meet next month. But the Communists intend to force a discussion of the Government's policy as to the street fighting which is still going on at Lichtenberg, and the chairman has to concede this.

First come forward representatives of the Councils' Commissions delegated to investigate the stories of cruelties by the insurgents and to negotiate a cessation of hostilities between them and the government commanders. They give their reports in impartial and unimpassioned language, but indicate their impression that the military authorities they had to deal with were less concerned to restore order with as little loss of life and of time as possible, than to create the impression that the disorder was worse than it really was. They were exploiting a local "putsch" so as to carry out a general "pogrom."

The first speaker, Richard Müller, for the Independents, deplores the disorder, but denounces the Government for instructing its troops to shoot everyone found with arms, in reprisal for atrocities invented by its own secret service. The defence of the Government is

undertaken by a Social-Democrat, who declares the Independents responsible for the disorders, amid stormy interruptions from the Communists. The chairman can hardly get him a hearing, and he leaves the stage, indignantly threatening that his party will secede unless it is better treated.

Next dashes on to the stage the Communist leader, who delivers an effective indictment of the Government's proceedings—at first interrupted by angry interjections from the Right. But as he develops the tragedy of what is going on outside, gives one name after another of comrades shot on no more than suspicion and describes the ring of howitzers firing into the crowded tenements of Lichtenberg, a silence falls over the meeting, and at last expressions of disapproval and dissociation come from supporters of the Government. For here is an Assembly that is alive enough, and though organised in parties, yet still open to the appeal of facts and to the force of arguments.

But suddenly, in the middle of a sentence, the speaker stops, leaps from the desk, and dashes off the stage at the back—while a confused uproar breaks out at the back of the hall, dominated by sharp military orders. The whole Assembly comes to its feet and faces about. The Left shout and shake fists at a row of steel-

helmeted soldiers, with loaded rifles at the ready and a minatory machine-gun. The Right wave hands and shrug shoulders to assure the Left they are not accomplices. The platform proclaims that the proceedings will continue. A Democrat is put up to speak, but even his mind, conscious of right, and his courageous determination to express equal disapproval with the Left as to the entry of the troops are not enough to overcome the mesmerism of that machine-gun. The Assembly for the moment is reunited, but its vitality is gone.

We have been present at the first scene of the forcible suppression of the Councils movement in its constitutional centre—a suppression that has since become continuous.

The next covert we have to draw in our hunt is a club of intellectuals, mostly Independents, meeting weekly at a private house. Berlin never had a club life, and this is only an embryo of a political club before it emerges from a social gathering. The members sit round in a great ring, sometimes all joining in a general debate, sometimes breaking up into small discussions. They are of all types and tendencies. The well-bred, well-dressed man with a Balliol manner is a Rhodes Scholar and a successful diplomatist of ultra-radical views—for such an anomaly is

possible under Count Brockdorff-Rantzau. The soldier in faded field grey describing a scheme for educating workman members of Councils in their duties, is a Communist. The diplomat is maintaining that Germany should join the League of Nations, even if it and the peace conditions are unsatisfactory. The worse the material position of Germany the better its moral position for taking the lead in a revision of the peace and of the League. The Communist brushes this aside as sophistry. How can you found internationalism on national Governments or even on national Parliaments? Wilsonism and Weimarism are both out of date and off the mark. An international Soviet of washerwomen would be of more real value and vitality. He is interrupted by cheers greeting the arrival of a famous fighting flying man, who was believed to have been one of the twelve hundred arrests of opposition leaders. An early Victorian middle-aged man in side whiskers and a frock coat, an ex-Minister in touch with the Government, begins to explain the necessity of reconstructing the Cabinet by eliminating the men most compromised by the loss of life, and including new men from the Left. He considers that while opinion is moving to the Left the Government is moving to the Right, and that as the breach widens the outbreaks will get worse.

He fears, however, that men who have grown old in opposition and have only just tasted power will not be torn away from it and will find it simple to govern by machine-guns. But the young men are not interested in the Cabinet—they drift off into discussing their schemes for the Councils.

Here, too, is life—the life radiated by young men who feel that power is coming to them before youth has gone, the life reflected from middle-aged men who have broken the dull crust in which circumstance was encasing them.

When this club was suppressed shortly after, Berlin could ill afford the loss of vitality. For the absence of all healthy, happy and youthful faces made it like a world of gnomes and goblins. In the case of the men this was mainly owing to the war, and in the case of the women and children to the blockade. Over a million of the fittest men had been killed, and the result was a survival of all the unfit; while the food and fuel hardships had fallen heaviest on the women and children of the towns.

But there was another reason for the disappearance of all young men that had youth and manliness. Their warfare was not yet accomplished, and they had only come back from fighting the whole world on three fronts for four years to

fight against each other in the streets of their capital cities. They went to war against the world for two ideals—patriotism and progress; and now these two ideals had themselves collided in civil war.

Of the two German ideals, that of patriotism is the one we know best. That dull devotion and forced fervour that fights in massed formations to sentimental songs. It is a form of patriotism that does not appeal to us. To Athens Sparta is anti-pathetic. But there were fine fellows among the Spartans as well as tyrants and helots, and now that the tyrants are gone such as are left of the fine fellows have a chance of realising their Spartan ideals. Now that those trumpery tinsel tyrants, the Kaiser and his courtier generals, have retired to scribble and squabble and scuffle over dirty linen—a Valhalla of washerwomen—the men of the real Spartan breed, who carried the German arms from conquest to conquest until the catastrophe was complete, are working hard to restore ideals shattered by rout and revolution.

Of the real fine fellows that I've met in Germany half were officers and men who had responded to the various appeals for home defence and who were working to revive the old Spartan tradition in the war-wearied youth.

Here are two notices from the advertisement columns of the *Lokal Anzeiger*, which seem to me to contrast the real Spartan and the Junker:

"To all old soldiers of the Prince Moritz of Anhalt-Dessau Fifth Pomeranian Infantry Regt., No. 42. Regimental Comrades! From day to day the impudence of the Poles increases. From day to day they seize more German land and more German food. From day to day they come nearer to—they claim more of—our Old Pomerania. All you brave old 42nd who ever undefeated have defended German soil against more formidable foes, rejoin your beloved regiment to defend your homes against the ungrateful Poles to liberate whom so many of your comrades died. Report to Headquarters, Stralsund. Conditions of service are pay, allowances, etc., as on active service with 5 mks. extra daily, and a fortnight's notice. Obedience required to military regulations and to those in authority, with whom are associated councils of delegates. Signéd F——, member of Soldiers' Council, First Lieut. K—— Regimental Commandant."

Note the signature of the representative of the Soldaten-Rat preceding that of the Commandant.

In those days even Frei-Corps recruited in this manner had their Soldiers' Councils. And it was

the remains of this Council organisation that prevented these Corps from being used to overthrow the Republic in the *coup-d'état* planned when the treaty was signed.

Compare now the appeal of the Junker—a *Vortanzer* no doubt at many a Court Ball and a flunkey still.

"Officer of elegant appearance and engaging manners with experience of polite society, seeks employment. Would undertake to supervise restaurant."

Moreover, as a result of class war, the students, hitherto always the Young Guard of revolution in Germany, have this time taken sides with what may well be called reaction. In the various volunteer corps—the "Noske Guards"—that are used for fighting the revolutionary troops and the workmen, the largest and best elements are young ex-officers or N.C.O.'s and students.

I remember when a workmen's meeting was broken up by a picket of the Reinhard Corps noting that the privates almost all wore pince-nez. The workmen called them mercenaries and murderers, but it was absurd to accuse fine young men who looked like Balliol, with a leaven of Blues and Bloods, of selling themselves for eight shillings a day and extra rations. These Spartans and their ideals will be heard of again

unless Germany is given a square deal and a fair field.

And the other half of the fine fellows I've met in Germany were Spartacists—fighters for the ideal of progress. For this ideal has had in Germany as many devotees as the other. No country had so large a radical and revolutionary political element as Germany before the war. In no country did the economics and politics of Socialism occupy so many minds. Sovietism is only a rough Russian realisation of German ideals. The rebellion under Spartacus of revolted gladiators and escaped slaves, which challenged for years the imperialism and militarism of Rome, does give some idea of what these men are and what their cause is.

The handsomest and most intelligent man I've met in Germany was a Spartacist, a film actor by profession. The last time I saw him—with a rifle slung over his shoulder and stick bombs in his belt—he explained what he was fighting for. German militarism, he said, had revived, encouraged by the Entente attitude; the present Government was as much in the hands of reactionary officers as any during the war. The war had crippled militarism, but only real revolution, the council system, could kill it. He was glad he had escaped the war, so as to have a life to offer

to the right side. The next day he was taken and shot.

Now, I do not intend to convey that the Germany of to-day is a fighting country. It is quite the reverse. But a section of idealists at each extreme has decided that they are bound to die for their ideals as Spartans or Spartacists. That they will die in vain is inevitable. If only because there is no Sparta and no Spartacus. There is no German land where such an ideal as that of the reactionary "Spartans" can now be realised, not even in rural Prussia; and there is no Spartacus to command and control the "Spartakists" of Germany. But there is another reason also—that there are too few young Germans left.

On a Sunday morning I went to the Academy of Singing to hear old German music. One number on the programme, "A Scottish Ballad of a Lost Battle," proved to be a translation of Lady Lindsay's "Lament After Flodden." Sung to a plaintive eighteenth century air, with the thin far-away accompaniment of lute and spinet, it was like an echo from the lost battles and lost beauty of all time. With bowed heads and tear-filled eyes, men and women sat silent long after the last heartrending refrain had died away.

In the afternoon I went out to the "Green-

wood" of Berlin, a district of pine woods, hills, and lakes, where the young people of Berlin used to flock for picnics and water-parties. The Berliners are noisy in their enjoyments, and on Sunday afternoons before the war the woods of the Havelland would ring with shouting and singing and laughter, with feasting and flirting, as though Pan himself held festival.

To-day a few girls were there wandering sadly through the silent woods, pale ghosts of dead delights, and there was no sound but the sighing of the pines—

> "Sair moaning in ilka green loaning,
> The flowers o' the forest are a' wede awa'."

CHAPTER III

THE COUNCIL REPUBLICS

THE first result of the failure of German Liberalism and of the Weimar Assembly was that revolution and reaction came into active collision with each other in the provincial capitals.

These two conflicts ran concurrently, and collision in the provinces was a necessary consequence of collision in the capital. Moreover, when the revolution had failed twice to assert itself by force in Berlin, it stood little chance of surviving in Bavaria, Brunswick, or Bremen. Such spontaneous and sporadic appeals to force met by organised police measures and prosecutions only prevented the Socialist party from reuniting, and forced German politics into a duel between the propertied classes and the proletariat, in which the latter had no prospect of success.

This duel started in Berlin in the December

and January conflicts which were settled in favour of the Government, and its subsequent continuance in the provinces had the same result.

The outbreaks in the coast ports and the coal districts of Westphalia were remote, and their unexpectedly easy repression by flying columns only confirmed the Government in a policy of coercion. The outbreaks in Munich and the south were outside the political orbit in which the Government was moving. If the spread of the general strike from the west to Saxony, which broke Germany in two and cut Berlin off from Weimar, was more serious, yet the Maerker column soon succeeded, in removing any danger to Weimar and in reopening communications with Berlin. These outbreaks were not formidable enough to force the Government to depart from its policy of suppressing not only revolts, but the revolution.

But the general strike and street fighting in Eastern Berlin during March although it was intentionally exaggerated so as to impress Paris with the Bolshevist danger, did for a few days imperil not only the Scheidemann Government, but the whole Parliamentary system. Both were consequences of the coalition which by giving the Government a class basis had made it quite incapable of going halfway to meet the revolutionary

demands for recognition of the Council System and for socialisation. At first, party ties had held the moderate mass of the Social-Democratic workmen; but as time passed and the middle-class mentality of the men in power became more and more marked, dissatisfaction with the Government and defections to the Opposition grew rapidly. Even *Vorwärts* admitted there was cause of complaint.

In vain did the Government poster the streets with pathetic protests that "socialisation is already here," and issued manifestoes pointing to its legislative achievements—Eight-Hour Day, Unemployment Benefit, Land Settlement, what we should call "Whitley Councils" in coal-mining districts, War Pensions, and Repeal of War Measures. These had already been put in force provisionally by the previous Government, and did not amount to much any way. In vain did the Government profess its intention of pushing through the two Bills approving, in principle, nationalisation of coal mines and potash deposits; for no one wanted nationalisation except as a step to socialisation. The workmen felt that the Government was, as one put it to me, "a revolution profiteer." It had perverted the purposes and pocketed the profits of the revolution. They felt that Weimar, as another

one expressed it, was only a "soviet of profiteers" and would produce no socialist legislation.

The revolutionary opponents of the Coalition saw their opportunity, but their leaders could secure no combination or concerted action. Nothing, indeed, was more surprising than the incapacity of the Germans to associate and organise for a political purpose.

The general impression one got was that Germany had so grown to look on political responsibility as the function of a specialised class that they never could consider anyone outside that class as capable of replacing any member of it. We see something of the same sort of helplessness growing up in England, where it is becoming increasingly difficult for the man in the street to conceive a Cabinet formed from outside a small clique of the ruling class. And the German revolutionaries of the Opposition showed themselves as incapable of making use of their opportunities as did their Liberal opponents in the Government. The game was in the revolutionaries' hands in the early months of the year if they could have combined. But the different disturbed districts declared war on the Government at just such intervals of time as allowed them to be conveniently beaten in detail by very small forces. Each district again was

divided into all manner of dissentient organisations in different stages of development. In some the Councils were really representative, in others they had co-opted themselves; while there were as many kinds of revolutionary corps as of Councils.

In Berlin alone there were some ten different corps. A leader of one of the last insurgent parties to hold out, told me, during an attack by the Government troops, that it was not the great disparity of numbers and munitions that had defeated him, but the difficulty of getting the revolutionaries to work together.

Moreover, the issue between reaction and revolution in Berlin was fought out in two different and quite distinct conflicts, that were invariably confused by the foreign Press. One took the form of strikes the other of street fighting. The general strike was the resistance of the Workmen's Council organisations to suppression by the middle-class Ministry. The street fighting was the resistance of the remains of the old revolutionary forces to suppression by the new Frei-Corps "mercenaries" of the reaction. The two developed concurrently though with little connection.

The strikes that were always breaking out everywhere for no apparent reason culminated

in the Berlin general strike of March. This general strike was forced on the reluctant Majority Socialists by the Independents, themselves propelled by the Communists. For these two latter controlled the Executive Committee of the Berlin Councils. But though the Majority Socialists did not oppose the general strike, they did their best to make it a failure, and when, after three days, the Communists pressed for its extension to water, gas, electricity, and food supply in order to support the fighting Spartacists, the Majoritarians withdrew, and by the end of the week the strike was declared off. The Majority Socialists' proposal for unconditional surrender was rejected, that of the Independents for surrender on conditions of amnesty accepted, and the conditions were agreed to by the Government. Thereupon the Left of the Communists, including the brilliant Clara Zietken, took the opportunity of this crisis and of the party caucus (Parteitag) then sitting in Berlin to secede to the Spartacists.

The loss of their Left wing was, however, more than compensated to the Independents by the movement leftward in the ranks of the Social-Democrats, the supporters of the Government. And this leftward trend was accentuated by disapproval of the action of the Government in bombarding whole quarters of Berlin and in

shooting wholesale its political opponents. This rapid response of the Council system to a trend in public opinion was in strong contrast to the irresponsive inertia of the Weimar Assembly, which remained representative only of a nationalist mood, and remote from the whole Socialist movement.

The Ministry had to give to the political pressure. Already before the strike it indicated concessions as to industrial socialisation and constitutional sanction of the Councils, and these were elaborated and established by negotiations at Weimar with missions sent from the Central and Executive Councils. These concessions were in principle very considerable, and much more than could ever have been imposed in practical application on the Centrum supporters of the Government. The result of this crisis was therefore to prepare the way for a reconstruction of the Government on a moderate Socialist basis, between a Centrum-Conservative opposition to the Right and a Communist to the Left. This would have represented the true balance of political power at the time; and the fact that it would not have had a majority at Weimar would have been only a formal difficulty.

But this, the natural, solution was made impossible by the extraordinary severity with which the armed resistance to the Government

was punished. For this severity made it impossible for even the most moderate Independents to join the Government. And this fighting was not a development of the strike, but of the campaign carried on by the Government with volunteer flying columns against the revolutionary corps throughout Germany.

Of these corps, of which there were many in Berlin, the most important were the Republican Guard and the Marine Division. The former had from the first supported the Government, while the Marine Division of Kiel sailors had already been in collision with it in December. The other corps were all more or less in opposition, and some were mere camouflage for bad characters. Until these corps were dispersed the constitutional Government had no complete control of Berlin apart from their "Council" rival, the Executive Committee. A first step was made towards their suppression by the arrest of sixty ringleaders; whereupon the Marine Division and the other corps prepared for resistance, with the assistance of the Spartacist irregulars and a rabble of roughs and rascals. These were joined later by about half the Republican Guard, which had come into collision with the Frei-Corps—the Government volunteer contingents. The strikers, however, took no part in the fighting.

The strike was declared on a Monday; Tuesday passed in preparations by the regulars and plunderings by the rabble, and on Wednesday the garrisons of Government buildings in the east central district of Berlin were attacked and besieged. They were hard pressed, but held out, being supplied by aeroplane until relieved by an offensive of the Government's troops on Thursday afternoon. For some hours a tremendous bombardment was carried on round the Alexanderplatz and neighbouring streets, but the damage to property though considerable could only have been as little as it was if at least half the "hows" and "minnies" had been firing blank; for the benefit rather of the correspondents than of the insurgents. The insurgents' positions were eventually made untenable by aeroplane observation and bombing. During the following days they were driven, with terrific fusillades and some fighting, through the east end into the suburbs, where the bombardments were continued for no obvious reason for several days.

Berlin will long remember those Ides of March. So shall I, not because of Thursday's fighting—you could generally get your fill of such fighting in Germany those days—but because on that Thursday I got a real lunch. It was a good lunch—oysters, veal cutlets, and pancakes. It

was given me by a banker, and cost just about four shillings a mouthful. I know, because I counted them. And in the cellars of the same house were families living on 5 lbs. of bad potatoes and 5 lbs. of black bread a week.

The banker and I were enemies, and I was nominally and nationally engaged in starving him; though, as members of our respective Independent Labour Parties, we were politically working in the same cause. And a few streets away men of one race and one class were killing each other respectively in the names of Law and Liberty. Such was European civilisation in the year of Our Lord 1919.

But probably you are more interested in the fighting; so, if you like, I will take you two excursions through it. We will start the first on Thursday afternoon, when the insurgent soldiers and Spartacists were trying to force their way westward from their base in the east end, across the Spree, past the Schloss, to the Linden, and the Government troops were trying to drive them eastward. The main battleground was the Alexanderplatz, from which radiate the main thoroughfares leading east.

At the west end of the Linden all is much as usual. Instead of the omnibuses laid up by the

general strike long German farm carts drawn by ponies are carrying passengers perched on planks resting on packing-cases. Lorries with mounted machine-guns patrol up and down, and machine-gun pickets guard all important buildings. As we go east the roadway empties and the traffic on the pavements thickens into hesitating groups all facing eastward, or knots encircling some political discussion. Further on the roadway is blocked by artillery of the Lüttwitz Volunteer Corps going into action — field-guns, trench mortars, and minenwerfer, the latter towed behind lorries loaded with the missiles, great brown conical cylinders 4 ft. high. Here, too, is the first cordon, and the game of "passes" begins.

The main rules are not to revoke by playing a pass from the wrong side, and not to put on a higher card than is necessary. I take this trick with quite a low card, the Foreign Office pass. At the next cordon I try quite a good card—a pink Weimar Press pass with a photograph, but he won't have it. I go one better with a British passport, Royal Arms and all, but he trumps this by shoving his rifle under my nose and saying, "Be off!" I have still a special pass from the Kommandantur, and, best of all, a visiting card with "Noske" scribbled on it, but the game is

over here. These Government volunteers, boys of eighteen or nineteen, shoot from the hip or anyhow, and are all on hair triggers.

We try round another way. A soldier with a rifle at the ready comes down the middle of the empty street scanning the windows. "Window shut," he shouts, aiming at one. A red poster proclaims that anyone loitering will be shot at. We are now in the danger zone. A lorry hurries forward, the bottom spread with brown stained mattresses. The noise becomes bewildering—the *crack* of roof snipers and the *rap* of the machine-guns are incessant. A field-gun is banging away round the corner, and that heavy boom is a minenwerfer shelling the Alexanderplatz.

The main struggle has already passed into the roads radiating eastward, which the insurgents are barricading hastily, while others on tugs retreat south down the Spree. But of this fight we can only see the aeroplanes swooping a few hundred feet over the roofs and bombing the machine-gun nests. An insurgent plane engages for a few minutes, but retires outnumbered. The battle is over; though fighting will go on for days as the troops drive the insurgents from one street to another through the eastern quarter out into the suburbs.

And now it is the following Tuesday, and I will take you for our second excursion into the insurgent camp at Lichtenberg—the most easterly suburb of Berlin, where the main body still holds out. This morning's Government bulletin has told us that the victorious Government troops have cleared the whole East End, except Lichtenberg, which is encircled with a "ring of steel." That several thousand insurgents have barricaded all approaches and are sweeping them with field-guns. That they have destroyed hundreds of tons of flour. That they have shot sixty—a hundred—two hundred prisoners. That others have been torn in pieces by the mob, which has taken wounded from the ambulances and clubbed them to death. That no one in a decent coat can venture on the street without being murdered. That in consequence of these "bestial atrocities" anyone found with arms will be shot. But we've read war bulletins before!

On our way we pass a convoy of prisoners, hands handcuffed behind their backs, armed motor-cars before and behind. A young soldier blazes off several shots to scatter the crowd, at which a well-dressed woman remonstrates, but she is at once arrested and put with the convoy.

Here we are at the Warschauer Brücke over

the Spree, where there is an imposing concourse of steel-helmeted troops and guns, and a cordon. We pass this after being searched for arms, and across the bridge come on a lot of guns and machine-guns firing fiercely down the Warschauer Strasse, though there is no audible reply or visible reason. After watching the shells holing houses, we start working our way round to the south through empty streets, keeping close to the house-fronts and taking cover when bullets whisper a warning. At last crowded streets again, and through them to a broad avenue crossed by shallow trenches and ramshackle barricades—the much-bulletined Frankfurter Allee. Here an insurgent picket takes charge of us and undertakes to bring us to the secret Headquarters.

"But where are your field-guns?" we ask.

"Field-guns? We haven't any," they say, surprised.

"And how do you keep the troops in check?"

"Oh, those boys! Two of us take machine-guns, charge with them down each side of the street, and they run."

"And how many of you are there?"

"Some two or three hundred perhaps—it varies, but we're all old soldiers—we allow no boys to fight for us."

"And have you shot the sixty policemen you took in the Lichtenberg station?"

"Sixty policemen? There aren't that number in all Lichtenberg. Two got shot defending the station, but after they surrendered to a quarter of their number we let them all go home. You can go and see any of them."

It is impossible not to believe these intelligent, even intellectual and eminently honest faces. So the sixty policemen follow the field-guns and the "ring of steel" into the limbo of "White" lies.

We pass a railway goods yard where plundered flour is being carried away in sacks.

"Where is that going?" we ask.

"To the bakers, and afterwards to be distributed gratis to the crowd."

We see later women with red crosses distributing loaves from a cart to women and children. We reach our destination, only to be warned by a woman just in time that it is now occupied by troops—a narrow escape that so shakes the nerve of our guide that he takes refuge in a dressing station improvised in a shop. Here are "neutral" doctors and nurses, very angry at the bombardment of crowded tenement houses and the reckless shooting by the young volunteers. They run great risks, as robbers have so often misused

the Red Cross that it is now no protection against the Government troops. Here are many wounded, mostly women and children, and but a few fighters. The latter all indignantly deny having shot prisoners, though they know the other side are doing it. And then at last to the evasive Headquarters, where the leaders tell us of what they hope to achieve by this desperate resistance of a few hundred men armed with rifles and bombs against as many thousands armed with all the machinery of modern war.

"Noske," they say, "is only a puppet in the hands of Majors Gilsa and Hammerstein, and they are agents of the Eden Hotel, the headquarters of the Cavalry Guard and the centre of reaction. The old story again of Bethmann-Hollweg, Ludendorff, and the General Staff. militarism and monarchism is what all this bombardment means, for they want to convince the Entente that they must have a large standing Army. They have just raised the pay and doubled the rations of these young mercenaries. Why don't the Entente abolish them and insist on a Swiss Militia here?

"If this White Guard goes on, we shall organise a Red Guard, and we shall win. But that will mean Bolshevism. We are not Bolsheviks, but

Socialists to-day. We have offered to keep order in Berlin and here, with a militia representing all parties, but they go on bombarding. It is the old Prussian terrorism again. They have learnt nothing from the war."

And, so, in the twilight, back the way we came, wondering at the working of moral laws that have now subjected Berlin to a self-inflicted punishment of bombardments and bombings worse than any of those it inflicted on other cities.

Firing heavy artillery at crowded tenement houses, even with reduced charges and plentiful blank, means a butcher's bill of several thousands, mostly women and children, and damage to property of several millions.

Next day we extract the following from the advertisement sheet of our daily paper:—

"Reinhard Brigade. Mine-Throwers."

"Officers, non-commissioned officers and men with mine-thrower training urgently required. Comrades! Consider the crisis! Come and help! Spartacus must be crushed with every weapon. Report to the Brigade Reinhard, at the New Criminal Court, Turmerstrasse 91."

"Obituary."

"On the 12th March, innocent victims of these troubled times, through the destruction of my

house by a mine-thrower, my little Adolf and Bertha, aged 12 and 8 years."

The behaviour of the Government can only be explained by their having left the whole matter to Noske, who, in turn, left it to his military advisers, Majors Gilsa, Pabst, and Hammerstein, who again were agents only of the militarist reactionary faction. This faction intended to exploit the crisis by killing two birds with one stone—the anti-Bolshevists at Paris and the pro-Bolshevists at Berlin. Their policy was to make an excuse for raising a large professional army with which to suppress the revolution and, if the gods were kind, to restore Germany's ancient *régime* and its racial frontiers. For this purpose atrocities were invented as a pretext for reprisals and for recruiting and raising the pay of the Frei-Corps. The Government could have kept order of a sort through the revolutionary corps if it had kept in touch with the revolutionary councils; but it fought the corps with flying columns of under-trained over-armed boys, and it fought the councils with its patched-up majority of old parliamentary hands and party hacks.

In the resultant civil war that raged, and still rages, all over Germany one may distinguish certain combats more decisive than the others.

There were the conflicts in Berlin—of December against the Marine Division, of January against the Spartacists, and of March against the Republican Guard and other corps. In the provinces, the expeditions against Bremen, Halle, Brunswick, and Munich. I saw nothing of the first of these, but something of the fall of the revolutionary movements of Halle, Brunswick, and Munich. And with each of these failures ended some distinctive element of the German revolution. With each of these failures the German revolution took a fresh impetus and a more extreme form.

The trouble at Bremen was merely a collision between the centre of the renascent reaction at Berlin and the original source of the revolution among the soldiers and sailors of the seaboard towns. The revolution first broke out at Bremen and was spread from there by parties of sailors who established themselves in the leading towns of the interior, including Berlin; and wherever they settled they became the "Red Guard" of the revolution. Bremen was therefore not only the Bethlehem of the new gospel, but was also the key position to the control of the coast. And this control was indispensable to the Government, which was negotiating with the Allies for the importation of foodstuffs in mitigation of the

blockade. For the revolutionary extremists, recognising that the blockade was breeding revolt, kept throwing every difficulty in the way of importing food. They first refused to allow the German steamers to sail under the agreement, and then refused to allow foodstuffs to be unloaded. The Government were thus forced, probably not unwillingly, into military action against the revolution in the interests of famine relief. When Gerstenberg's flying column occupied Bremen in February with little serious fighting, the revolutionary policy of barring off Germany from the conservative West and turning it towards the Council government of Russia finally failed. The desperate plan of strangling and starving Germany into revolution was defeated by the German middle class, who preferred, even at the cost of immediate civil war, to go into economic slavery to France and England rather than to go into political outlawry with Russia. The fall of Bremen really finished all immediate chances of Russian "Bolshevism" in Germany.

The Halle affair in March was a less crucial business, though critical enough for a time. The Saxon towns had been in a state of economic unrest that increased as the impotence of the Weimar Assembly became more obvious. Thus

the smaller towns in the immediate neighbourhood of Weimar, like Erfurt and Jena, became outposts of revolution, permanently menacing the deliberations of the Assembly in the classic groves of the Ilm. Small bands of revolutionaries even penetrated Weimar itself, until the roads and railways were barred. It was some weeks before the Saxon Frei-Corps of Jagers, under General Maerker, were strong enough to attempt expeditions against the smaller Thuringian towns. And the General himself had, in these early days, more than one narrow escape. His small force was still very weak in numbers and discipline when a general strike was declared at Halle, with the avowed political object of cutting communications between the Legislature at Weimar and the Administration at Berlin. Obviously, if Weimar could be seized, or even surrounded by the revolutionaries, the parliamentary system of government must collapse and a revolutionary Saxony would divide the Prussian bureaucrats from the South German burghers. This plan—if plan it was—and not merely a process of inchoate and unconscious forces, was defeated by the Maerker expedition to Halle; and those who are interested in the outside as well as the inside of political events may learn something of what the civil war in Germany was

like in the following diary of my experiences with this expedition.

Friday Afternoon.—The green room of the Weimar Theatre—now the National Assembly—and the War Minister Noske on a sofa, a big beetle-browed, bullet-headed type of German, a Bismarck Mk. II., but evidently underfed and overstrained. On a chair a sharp-nosed intelligence officer, for War Ministers must be careful these days who they see and what they say. After some talk I ask leave to go with the Government troops who are to reopen the rail to Berlin by occupying Halle. The intelligence officer demurs, but Noske good humouredly agrees to my arguments, scribbles a word or two on the back of my card, and hurries off to catch the Berlin train. He will have to spend all night going round by Chemnitz and Dresden.

Friday Midnight.—A fourth-class carriage in the third of three troop trains conveying 4,000 men and 20 guns to Halle. Five of us are perched on the narrow wooden seats; two officers in mufti, and two Halle deputies going as Government delegates, one a brisk little Democrat, the other a patriarchal Social-Democrat, in a long white beard and a broad black hat. We make the best of it. One officer has a candle, the other a stock of war adventures; I have a bottle of wine and a

budget of news from outside; the patriarch has sections of an eel and views on the food question, which he roars like a hungry lion. Bump! we are mostly on the floor. The engine of No. 2 has broken down, and we have trodden on and derailed its tail. We pile into train No. 1, and get cushioned seats. The officers snore, the patriarch dozes, rumbling like a distant storm. Only the little Democrat sits brooding. "Oh, Halle! Halle!" he mutters, "that I should ever come to you like this."

Saturday Morning.—The General and I are marching up the road to Halle; behind us officers in mufti, beside us the head of the column of volunteers. The little General is telling me this is the seventh town he and his flying column have occupied, but the first real big one. An expert in Bolshevist busting, this tiny General of a toy army, with the face and manner of a dear demure little old maiden lady. He ignores politely the women and boys, who are shouting, "Bloodhounds!" "Brutes!" "Vultures!" "Vermin!" and salutes scrupulously any burgher bold enough to wave.

So we enter Halle, pass the factories and sky-scrapers, where the hands live stacked in tiers, and then occupy the station yard. The General with a few officers and men, marches straight

through the great deserted station into the guard-room of the insurgent troops. The guard, taken by surprise, seize their rifles, and some cock and point them, shouting threats. The little General raps out an order like a machine-gun, and after a long half-minute a man drops his rifle, the others follow suit, and all file out—one shouting in a heart-broken voice, "Is this all we can do?" A deputation of sailors arrives, fine upstanding fellows, with intelligent faces. These are the real fighters, and some hundreds of them are occupying a building in the town. They have probably only come to find out what chance there is of holding it, and the guns outside are answer enough, for they leave abruptly. The General sends a summons to evacuate after them, and they have cleared before their building is surrounded. "Those cursed blue boys," says a young officer. "What wouldn't I have done for them during the war, and now they've brought us to this."

Saturday Afternoon.—The General with a few officers and a half-company, is walking down to the Town Hall to arrange with the local authorities. I am congratulating him on everything being so well over—and add, as I see the market-place ahead packed with people and ugly-looking roughs hooting us—that in England things would

be about going to begin. I've hardly said it before they do begin. The crowd, annoyed at the hauling down of the red flag and hoisting of the red, white, and black, storms the Town Hall, tears the machine-guns and rifles from our guard there, and smashes them, seizes a motor and an ambulance, which it afterwards runs blazing into the river, and carries off two officers, whom it shuts up in the Red Tower, a mediæval fortress. They then turn on our little party, which is in rapid retreat on the Post Office, but we stand them off until we are behind the iron gates. An angry mob howls outside, but when they get to shaking or scaling the gates a movement from the sentries inside is enough still to stop them. At last reinforcements arrive, forcing their way through the crowd, which, however, falls on the last files and tries to haul them off. We sally out and pull them in, shouting to the soldiers, now as angry as the mob, not to shoot. But already there comes the crack of rifles and the rattle of a machine-gun from another position up the street. Firing becomes general. The crowd scatters in all directions, and the empty streets round are picketed with machine-guns. The General, regardless of roof snipers, comes round, patting his young soldiers on the back. "Well," says he to me, "here we are, and the only ques-

tion is, are we holding Halle or is Halle holding us ? "

Saturday Evening.—A long table in the Post Office. At one end the little General, behind him two officers, one smiling, the other scowling. On his right the two " Independent " tribunes of the people, representing the workmen's councils, beyond them commandants of the local barracks, at the foot representatives of the burgher committee and the little Democrat, on the General's left representatives of the soldiers' council, probably students. The Patriarch has, however, disappeared, the march of events having been too rapid for him. The General is very short with the student soldiers, and very urbane with the Independent politicians who are or were in control of Halle—one is another Bismarck type, Mk. III. this time, the other a Bernard Shaw Mk. II. A strong combination of authority with audacity ; but I doubt the General with his steel-helmeted troops and machine-guns will be stronger. Their case is that they kept order until the troops came, and they can only restore it if the troops go. The General and the burgher delegates accuse them of arming and agitating the proletariat, which they indignantly deny. The discussion is interrupted at intervals by the irruption of dingy individuals, who report dis-

orders and discoveries, and I suspect the General of having realised the dramatic value of the messenger in Greek tragedy. Finally, the two tribunes agree to put out posters that the troops have nothing to do with the strike, and must be let alone. This negative result horrifies the burghers, and the General, leaving the table, is besieged by earwigging notables imploring him to arrest the two tribunes. "I saw them leaving the house that fired the first shot," hisses a flabby frock-coated party with a grog-blossomy nose. "Bernard Shaw" overhears him, but only strokes his thin beard and his moustaches curl in a cynical smile. He knows the General knows his business.

Saturday Midnight.—I've been out and in through the pickets and among the armed parties of the other side several times, and a major in mufti and I are going out to a hotel. Two journalists who've made their way in, and regret it, decide to follow us. Nearing the cleared street, we turn up a side street and come right on an armed party. The journalists, a few paces behind, bolt round the corner, which leads to our being stopped and questioned. I engage their attention all I can to give the major a chance of slipping off, which he wisely does. Unfortunately, this gives time for a larger crowd to

gather than I can manage, and they march me off to the market-place, where they become a mob. Ugly roughs and excited boys keep pressing in, and several have seen me with the General. The ring round me gets savage, and I have increasing difficulty in keeping those round me quiet. A man shouts at me in Russian, asking whether I'm from Joffe. I repudiate Joffe, but knowing Russian gets me a friend or two. One calls up some armed sailors and persuades them to take me to their guard-house. A plucky little burgher who has been appearing and disappearing in the welter attaches himself to the party. The crowd follows until a machine-gun opens near by and scatters it. Our party gets smaller each time we run or shelter from the machine-guns, which are playing on the plundering parties. I find the burgher will take me in if I get rid of the escort, so, distributing some small notes, I suggest we should all be better off at home. Some agree, others object, but a machine-gun closures the debate without a division and I spend the night on the friendly burgher's sofa.

Sunday Morning.—I hear from the burgher that an aide-de-camp of the General caught by the mob in mufti with the General's orders in his pocket, soon after my escape, has been thrown into the river and shot as he swam. The town is still

in the hands of the revolutionaries, but quite quiet except round the buildings held by the troops. After changing my appearance and borrowing the burgher's hat, I go round in a crowd of Sunday sightseers staring at the looted shops and the bullet-starred houses. Near the Post Office there is sniping from the roofs, and a hand grenade is thrown almost on top of us. There are ugly red blotches in the streets among the broken glass. Running the gauntlet of the pickets, I find the General very glad to see me. The scowling officer shows me a sniper behind a chimney-pot who has just shot the smiling officer. The situation militarily and politically is temporarily at a deadlock, and the only interest in staying is the risk of being sniped in the Post Office or mobbed in the town. The General offers me a passage to Weimar with the "flying post."

Sunday Afternoon.—The Halle flying ground. While one of the few planes left is being patched up the officer is telling me of his difficulties. He daren't leave the men alone for an hour. The plane with the post for Weimar I travel with has to be represented as going to Magdeburg, or the men might stop its starting. He holds on because the planes are indispensable to the Government, but when he came back from the

front, and the orders and badges were torn from his coat, "something broke in him." His family has always been military, but now it's over, and he is going to the Argentine. But my pilot is tougher stuff. A man of the middle class, pilot since 1912, fighting scout through the war, a friend of the great fliers and of Fokker, he had had good openings abroad. "But no," says he; "Germany's going down out of control, but if it crashes I crash with it."

So after careful scrutiny to see that nothing has been half sawn through, as it was a few days before, we climb in. The roar of the motor drowns the distant rattle of the machine-guns, and Halle disappears below into the dusk as we drive into the red glare of the setting sun.

Germany at this time was like a seething pot. Outbreaks such as that at Halle were only bubbles breaking out on the surface. At any moment one expected the whole heaving, simmering mass to boil over. But, wherever a centre of ebullition declared itself the Government quenched the upheaval with a douche of Frei-Corps.

Such a centre from the first days of revolution was Brunswick. Indeed, Brunswick had been such a centre of disturbance from the earliest

days of German history. The chronicles of Brunswick show the workmen of that town always in the van not only of German but of European movements. They were indeed Bolsheviks as early as 1292; and it was largely owing to the improvement in the workmen's position that they forced on the German towns in the following century that the general risings of the proletariat, that led to civil war in England and France, were in Saxony comparatively bloodless.[1]

And, as soon as the revolution broke out in the North Sea Coast towns, Brunswick gave it its first welcome to the interior. Bodies of sailors, travelling up from the coast as the vanguard of revolution, had established it in Brunswick, the day after the first outbreak at Wilhelmshaven;

[1] "Brunswick succeeded more thoroughly than any other German town in reaching the goal of the whole development of mediæval civic life—that is the emancipation and elevation of the working class. . . .

"The Guilds developed unusually early in Brunswick those activities which rendered them everywhere schools of political education and centres of revolution. In Brunswick first of all did the workmen make head against the Burghers. And if old records can be trusted what immoderate ambitions appear even in their first rising in 1292. They were not merely in revolt against abuses or for some moderate participation in government, but proposed nothing less than the suppression of the old Constitution and to make themselves absolute masters of the town." Chroniken. der Deutschen Städte. Braunschweig. Vol. I., p. xxvi.

and thereafter Brunswick threw itself whole-heartedly into a real revolutionary *régime*.

The little State of Brunswick consists of the mediæval town and a ring of industrial suburbs separate from the town, with satellite rural townlets and villages. The political life and vital heat of Brunswick centre now in this mushroom ring of factories, where the old rebel character of the State is more truly reproduced than among the burghers and bauers of the dead town and dormant villages. Under pressure from the workmen in these factories Brunswick established a government that, unlike that of Berlin, was sufficiently revolutionary to attempt to realise the social revolution. When the inevitable split came between the Social-Democrats in power and the Independents in opposition, Brunswick declared for the Independents. The free Republic of Brunswick became a citadel of the Independent extremists, a centre of revolutionary propaganda and a *corpus vile* for the application of revolutionary principles. And it was unfortunate that it made itself so obnoxious to its big neighbour, Berlin, in its first two characters that its services in the third capacity were overlooked. For Brunswick was working out a *régime* which was in fact a compromise

between the revolutionary institutions of council government and the established parliamentary system of its constitutional Government. True parliamentary institutions had under the leadership of extremists like Merges been relegated rather to the background. But they had not been abolished and remained ready to function, when required, as a sort of Second Chamber and conservative counterbalance to the radical *régime* of the Workmen's and Soldiers' Councils. Nor had this *régime* so far as I could ascertain done any irremediable material harm, while it had certainly done real moral service. The propertied and professional classes had been alarmed certainly; but had learnt to defend themselves very effectively by strikes and refusal of taxes, and had thereby obtained recognition of their rights as a numerical minority. Feeling, of course, ran high; but the freedom of speech of the burghers was never curtailed while the workmen's party was in power. Of course, the workmen's leader, the hunchback tailor Merges, was represented as a sort of ogre throughout Germany, but the Brunswick burghers rather despised than dreaded him. Their opinion of the rule of the "Arbeiter Rat," or Workmen's Board, is expressed in these lines pasted on the

pedestal of the equestrian statue representing Duke William of ever pious and still immortal memory (obiit, 1884).

> "Good Old Bill, if you'll get down,
> Merges shall give up your crown.
> We'll put you on the Board, of course,
> And put the tailor on your horse."

As reaction developed at Berlin and revolution at Brunswick it became evident that once again in its history a bullying Berlin would bash a bumptious Brunswick. This simple solution as between the two centres of the main conflict that has divided Germany was delayed by cross complications coming from conflicts belonging to another plane, and to an older chapter. Brunswick town, unlike Halle or Hamburg, was a free Republic—more than that it was a semi-sovereign State. The semi-sovereign rights of the lesser German States were one of the ancient bulwarks used by the reactionary government as defences against a levelling revolution. They were particularly dear to the Centrum supporters of the Government as the temporal entrenchments of the Clerical position. And so the free and Independent republicans of Brunswick had a longer lease of power than might have been expected.

Finally, political and personal considerations

combined to overcome the reluctance of the Berlin Government to take military action against a Free State. As usual the personal factor probably forced the decision and the incident throws a sidelight on German politics of this period.

Magdeburg, an industrial town on the main line between Berlin and Brunswick and on the borders of Brunswick State, had been a political stronghold of Majoritarian Social-Democracy. But it had been so affected by the drift of the workmen to the left that by the end of April the Independents believed they had a majority in that parliamentary constituency. Now the representative of this constituency was the moving spirit, the Machiavelli, of the ministry—Landsberg. This Polish Jew has already been referred to as the brains of the Government. He, as representing Majoritarian Social Democracy and Erzberger as representing middle-class Clericalism, were the cement of the coalition between Social-Democracy and the Centrum, a coalition based on love of office and fear of the Opposition. So Landsberg finding his own seat threatening defection to the Opposition and joining a general strike of the Saxon towns, went down to Magdeburg. But on his arrival he was seized by the revolutionaries, put in a car, and sent off to Brunswick to be held to ransom. This

kidnapping of the reactionary Minister of Justice, second only to Noske himself in importance, was a score for the revolution. But a red Jew is kittle cattle to drive. Landsberg escaped from his captors, and within a few days General Maerker and his merry men were marching on Magdeburg from Halle. Magdeburg was occupied after slight resistance, and became the base for operations against Brunswick. Only a *casus belli* was required and this was supplied when Brunswick, encouraged by the Munich revolution, proclaimed a "Räte Republik," and invited the Saxon towns to rally to the revolution and the "Soviet system." This was immediately countered by the officials and clerks of Brunswick organising a strike that crippled the Prussian railway and the German postal and telegraph system. Whereupon Berlin declared that it had ground for intervention in Brunswick, the State frontier was closed and Frei-Corps expeditions advanced from Magdeburg and Hanover. Skirmishes occurred at Holmstadt, Borsum and Wolfenbüttel and both sides had losses. Brunswick called off the general strike, protested against the violation of State right and tried to make terms. There followed a pause in the operations during which the moderates on both sides were trying to arrange matters.

Meantime the Communists and Council revolutionaries of Brunswick were preparing resistance, in the confidence that the revolutionaries of the Saxon towns would rise in the rear of the troops; while the reactionaries were mobilising rapidly tanks and howitzers with the intention of giving the Revolution the *coup de grâce*. It was at this moment that I decided to go to Brunswick partly to study its revolutionary institutions before they were wiped out, partly to prevent bloodshed if possible by informing the revolutionary leaders as to the small prospect of Brunswick, if it resisted, getting any support from Saxony or Prussia. It was not an easy journey and the following account of it from my diary may serve as an illustration of Germany at this time.

Monday Evening.—The notorious Eden Hotel, headquarters of the Berlin garrison and military police. I am waiting for a permit to go with the expedition against Brunswick. When I went with the same troops against Halle a month ago I got my permit from Noske himself, but the captain in charge at the Eden Hotel is only second in real importance to the War Minister. There is, I suppose, a War Office and General Staff still, with generals and colonels, but the Government is based on the volunteer corps and they are run from the Eden Hotel. And now Brunswick,

not for the first time, has championed the cause of German revolution and challenged Berlin, which has become, not for the first time, the centre of German reaction. And Berlin has determined to bash the head of revolution in Brunswick as it broke its back in Halle. True, Brunswick is a free State with its own constitution, which only differs from that of Prussia in preserving the principles of the November revolution; but it has become a centre of revolutionary opposition connecting the industrial districts of Westphalia with those of Saxony. There has been a plan for concerted action. Brunswick has given the signal too soon and realised its mistake too late. Brunswick, says the Eden Hotel, will fight in the hope of support from the Saxon towns, not knowing that they will not rise, for it has been isolated for a week.

Tuesday Morning.—A fourth-class carriage in the "parliamentary" to Magdeburg. There are third-class carriages, but a haversack on the floor is more comfortable than a straight-backed wooden bench. But imagine traffic between London and Derby reduced to three trains daily, two of which stop at every station. A peasant woman sitting on a sack is complaining:—"We get up at four every morning and work till dark. The cabbages and potatoes lie at the stations for

days; the sun shines on them, the rain rains on them, and they rot—no trains—so we starve in the fields and you starve in the towns. A burgher frau tells how a barge load of American wheat has arrived at her town—"but what use is it at that price?" A man explains the high price is only for the extra ration and that most of it goes to make up the old ration at the old rate. "But," objects another, "we shall have to pay for it all the same, and we can't." "Emigration, that's what it means," says a soldier. "Why emigrate?" says a young man—"socialisation and Council Government are what's wanted, then the workmen will work and we can pay." You can hear more sound politics and economics now in fourth-class carriages than at Weimar, for hunger is the best political education. But—"Oh, politics, always politics now," protests a pretty girl The soldier gallantly responds and the debate becomes a Beatrice and Benedict duel, altogether too Shakespearean to report.

Tuesday Evening.—The General's headquarters. I hand my friend the General my credentials from my right-hand pocket, in my left are letters to Brunswick leaders. Public disorder makes for personal orderliness, and getting passes mixed in his pockets cost an officer acquaintance of mine his life lately. The General tells me he is

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marching against Brunswick—horse, foot and artillery—next evening. I can go ahead in the armoured train or an armoured car. But I explain this time I want to see the occupation from the other side and so must get into Brunswick well ahead. However, the General doesn't respond to my request to be set down outside Brunswick from one of the aeroplanes employed in distributing proclamations. Brunswick has been cut off by road and rail for days, and he evidently prefers it should remain so. Brunswick, he says, means to fight and must get a sharp lesson. Anyway it's impossible for anyone to get in now. And at first sight one would say he was right. Brunswick is sixty miles from Magdeburg by rail, trains only run in other directions, and even for them one must have a permit. All planes and cars are under control of the troops. So it will have to be the "underground railway" for me. For, when you drive a revolution underground it won't be long before there's an underground railway. It's quite easy even for a foreigner without local friends to get down the lifts and along the passages to it, provided he can find the way in. And a good place to look for the entrance is a newspaper office.

Wednesday Morning.—A back room in a beer-

house of a back street in Magdeburg. I am being booked through to Brunswick on the underground. The "tickets" are being made out among the slops and my guide is getting his instructions. For all tours on the underground are personally conducted.

Wednesday Evening.—A beerhouse in a back street of Brunswick. We have run the blockade successfully, and are waiting to be sent for by the revolutionary government. We reached Brunswick soon after dark, having travelled hard all day. First, leaving Magdeburg by train and going north, we got out at a wayside station where a carriage and pair was waiting. This drove us at a great pace over the rolling uplands to the outskirts of a village. Whom it belonged to I didn't hear, but it had the best pair of horses I saw in Germany. Next came a sharp run across country to a halt on a local steam tramway, which took us down to a junction where we got a train. The train had to be left unostentatiously *en route*. Fortunately, German trains don't go very fast nowadays; but standing on the end platform and waiting to jump while my Communist guide turned somersaults on the embankment, I should have preferred even my lop-winged Halle aeroplane to the Brunswick "underground." Another walk to a local station from

which a train ran backwards and forwards to Brunswick. As we arrived it came up loaded with refugees who were retiring to country farms to escape the imminent invasion of the Prussian troops

Wednesday Midnight. — Government House Brunswick.—The town is plunged in darkness but the Government building is all ablaze with lights and a-bustle with figures hurrying to and fro past the lighted windows. Inside there is a curious nightmare feeling of hampered haste and of imminent menace. Round a long table in an upper room sits a sort of council of war distractedly discussing whether Brunswick shall resist the Prussian troops that are due to arrive at dawn. In a sort of drawing-room adjoining, other members of the Independent Government sit about listlessly in fauteuils brought over from the palace, or pace restlessly about the room. A Communist is trying to spur the Council on to fight, assuring them that the soldiers and sailors are ready to face the tanks and trench mortars—which is true, and that the workmen will support them—which is not. A sailor suddenly appears in the Council room excitedly waving an object in his hand which it seems is a bomb that has just been found hidden in the cellars—but whether intended to blow up the

revolutionaries or to be subsequently found by the reactionaries and exploited as an "atrocity" is not clear. Anyway, no one pays any attention to him, and annoyed at this he proceeds to take it to pieces to prove it's a real bomb. I persuade him to go away and drown it.

Soon after the Council decide not to fight. This definite decision wakes us all up from the nightmare. Telephone orders are at once sent out to the outposts, everyone hurries off on some mission, and as we go home the dark alleys are full of dim hastening groups hauling heavy objects—machine-guns and rifles to be thrown into the river or buried.

Thursday Morning.—A hotel window looking on the main square. I am taking down the history of revolutionary Brunswick from the dictation of one of the leading revolutionaries, while below the Prussian troops are marching in. The organisation of the Independent Government has made good in its last crisis and not a shot has been fired, to the openly expressed disappointment of the invaders. The hotel, awkwardly enough, has been commandeered as an auxiliary headquarters, and I have to escort my informant out past groups of officers and see him safely away into the "underground railway." He is one of the few wanted men who get clean

away. Merges and others escaping in aero planes and in cars are with few exceptions caught. Merges himself, subsequently, is released by friendly jailers.

The burghers in the streets exult at their deliverance and some of the girls throw flowers to the troops. A young volunteer in an armoured car catches a bunch gracefully and I recognise him as a scion of the princely house of Reuss At the back of the crowd stalwart men in ill-fitting civilian clothes glower gloomily. A girl at an attic window in a side street cries shrill abuse at the "steel helmets" and one boy in joke points his rifle at her. It goes off, the bullet stars the plaster and the boy looks as terrified as the girl. It is the only shot fired at the fall of the Free Republic of Brunswick.

Thursday Evening.—The General has deposed the Government of Independents and set up another of Majoritarians, has arrested all the leaders he can find and has proclaimed the severest form of martial law. Many burghers are already regretting the revolutionary *régime.* The streets are almost deserted for it is already dusk and no one may be out of doors after sundown. In the shadows under the overhanging gables of the mediæval market-place gleams the steel helm of a Prussian picket. Other

cloaked and helmed figures gather round a fire down a side street. Brunswick is back in the Middle Ages and these might be Tilly's men. A fat burgher creeps cautiously past the hotel. Every evening for years he has trotted to the cosy beer cellar round the corner. Shall these bedamned Prussians keep a free Brunswicker from his beer. After several false starts he marches boldly out across the market. Bang goes a blank cartridge from the Prussian sentry and the burgher bolts back into obscurity. The liberty of Brunswick is no more.

The establishment of a Räte Republik at Munich got more attention than the Brunswick attempt but was really less interesting because less indigenous. The relative importance of the two was more accurately assessed at Berlin. Berlin has always had a difficulty in taking Munich politics seriously. It has had to recognise its superiority in Art and Literature, but compensates itself in matters political by an amused arrogance not unlike the attitude of London to Dublin. But Munich is not Bavaria. If it were, the Prussians and Würtembergers would never have ventured to interfere; for the Bavarian is far too fierce a fighter and too jealous of his freedom for all the rest of Germany to coerce him as a nation. However, it soon became evident

that Munich Communism represented only a section of the Munich workmen and was resented by Bavaria as a whole, with the exception of the proletariat in the large industrial towns. Even so, the Berlin Government acted cautiously. It was indeed in a difficult position; for the policy that Scheidemann's socialism stood for was one of compromise with political clericalism and provincial particularism. His minister, Preuss, then framing the constitution, had been reluctantly compelled to reject the conception of the more radical reformers who had hoped to found a wholly uniform and wholly united centralised German Socialist State. The Goverment had been forced to use the political jealousies of the German States and the clerical prejudices of the Centrum as weapons against the social revolution. It would not be too much to say of this period of German politics that only the revolutionary adherents of the Council movement were Germans; while the upper and middle classes had again become Prussians, Saxons or Bavarians. And now it had become necessary to coerce the capital of Bavaria, the centre of Roman Catholicism and the most sensitive and important of the minor kingdoms. And this, too, at the very time when everything was being done to induce German-Austria, Bavaria's neighbour, to accept

the same sort of position in the Realm as that held by Bavaria. It was a most awkward predicament and the German Government showed less than its usual tactlessness in dealing with it. It arranged with the Bavarian bourgeois Government, when matters came to a crisis at Munich, that it should take refuge at Bamberg, where it could be protected by the Government's troops centred at Weimar. Then it arranged with Würtemberg and Baden to supply troops to restore this Bamberg *ancien régime*, supporting them with Saxons and, at first, keeping the Prussian corps in the background. Operations were then begun, first against the Franconian towns of North Bavaria, where Bavarian sentiment was weak. Any attempt against Munich was delayed until a raging Press propaganda against the rule of the Munich Bolshevists in the Wittelsbach Palais, and the crushing of the movement everywhere else, had excited the class feeling of the propertied farmers and burghers and had exorcised temporarily Bavarian jealousy of Prussia. All this, however, would not have ensured Berlin success, but for the inherent weakness of the Munich revolutionaries. The movement for Council Government and general Communism had lost all chance of success when it was forced either by the policy

of its enemies or by the jealousies of its supporters into the hands of men like the Russian extremists, Leviné and Levien.

I saw a good deal of both men during my stay in Munich a few days before their fall, and both were very frank as to the hopelessness of their position. They were very different. Leviné was a black Jew of a common and rather criminal type, with a bad record, but great ability of a sort. Levien was a cosmopolitan and a Bohemian—in appearance and abilities a dissolute and demoralised version—a Bohemian and Bolshevist caricature—of the Treasury official who now represents us and rules Germany on the Reparation Commission.

A curious picture it was this Communist dictatorship in the Wittelsbach palace. Outside—crowds of workmen waiting for the posting of the bulletins in which decrees were proclaimed. Inside—a great coming and going of seedy-looking revolutionaries—a frantic clattering of typewriters pounded by unkempt girls—hurried conclaves in corners—remains of meals on marble tables—the dubious atmosphere of a Quartier Latin garret—the high pressure of a Bolshevist headquarters and the melancholy madness of a Wittelsbach pavilion.

The political situation in Bavaria after the

revolution had rested entirely on the personal power of the idealist Jew, Kurt Eisner. His influence over both revolutionaries and reformers produced in Munich a coalition of Socialists in which the predominant element was progressive; whereas in Berlin, for want of any such personality the coalition split up into reactionaries and revolutionaries. The assassination of Eisner and the disablement of Auer on 21st February were succeeded by some weeks of the Hoffmann Government during which the issue as between parliamentary and council government was defining itself. The distribution of force at this time appears from a division in the Assembly of Councils where the proclamation of a Räte-Republik (a Council State) was outvoted by 230 to 70; Levien himself, the Bolshevist, declaring against it as premature. But during March the strong movement to the left and towards a Council constitution, noticeable in the Berlin Räte-Congress, made apparently even greater progress in the Bavarian industrial towns. Majority-Socialists, the Social-Democrats, found their followers going over *en masse* to the Independents, while the latter lost equally heavily to the Communists. In Prussia the Majoritarians had made up for this loss of popular support by creating a military force

strong enough to resist any attempt to overthrow them by other than constitutional means. But in Bavaria the Majority party found itself being left in the air. It seems thereupon to have adopted a policy of outbidding its opponents. At Augsburg, late in March, Nikisch, a leading Majoritarian, declared for a Räte-Republik exclusive of Parliament, and succeeded in getting it voted. The vote was later rescinded under influence of the Independents and Communists, but restored under Majoritarian pressure. The same curious reversal of rôles followed in Munich, where a Majoritarian, Thomas, pressed for a Räte-Republik. A commission of Left Majoritarians and Right Independents was appointed on April 4th and adopted a programme including the dictatorship of the working class, the organisation of a council system on an industrial and professional basis, the socialisation of industries, banks, and land, the revolutionising of administrative, judicial, and educational systems, the separation of Church and State, compulsory work for all classes, the formation of a Red Army, and alliance with Hungary and Russia.

This programme was to be executed by a Central Council and Commissioners, equally composed of Independents, Communists, and Social-Democrats. At first the Communists refused to

join and attacked the new Government bitterly as a humbug; but later, after proclamation of the Räte-Republik and a Council constitution, agreed to co-operate in the Central Council in an advisory capacity. The Räte-Republik was proclaimed on April 7th. The Hoffmann Government left; but soon after reappeared, first at Nuremberg and then at Bamberg, where it established itself as a sort of Bavarian Weimar. The Berlin Government at once refused recognition to the new *régime*, while it gave every countenance and support to the Bamberg Government.

A few days later, Sunday the 13th, a "*putsch*" under the leadership of a *ci-devant*, von Seifertitz, and a Majoritarian, Löwenfeld, supported by the Republican *Schutztruppe*, overthrew this Government and arrested the Independent members of the Central Council, as also Mühsam, a non-partisan idealist. The Communists then took immediate action and a hundred or so armed workmen under Toller, a young Independent officer, ejected as many soldiers from the railway station at the cost of two killed and a few wounded and some broken windows—a scuffle represented in Berlin as a desperate battle in which the station and surrounding houses had been completely destroyed. The Communists then formed a "Bolshevist" Government under Com-

missioners, among whom were included the Russians Levien and Leviné, and an Executive Council, on which were two Independents and a moderate, Maenner—an able man in charge of finance.

Of course in this curious *chasser-croiser* it is open to anyone to regard the Majoritarians as mere governmental *agents provocateurs*, working for a premature proclamation of the Räte-Republik, with such motives as it may suit the critic to attribute to them. This was the view taken by the *Times*; but personally I am inclined to see merely the manœuvring of demagogues ambitious of power, in a people with little political experience. To retain power, the Majoritarian Socialists of Prussia were prepared to re-introduce militarism; while those of Bavaria were prepared to introduce "Bolshevism" for the same object.

Both the course and the collapse of Munich Communism give an answer to the question whether Russian Bolshevism can take root in Germany. If Bolshevism meant Sovietism and merely is a constitutional conflict between parliamentary and council government, it could. There is no such traditional belief in the parliamentary system in Germany as to make it an essential foundation of constitutional government. Neither the old Berlin Reichstag nor the Weimar

Assembly acquired popular confidence. But if by Bolshevism we mean an economic class conflict concerning the dictatorship of the proletariat, the answer seems to be that it cannot be established in Germany, under normal conditions.

The short life of the Munich Commune seemed to show this. The Government consisted of Commissioners—a sort of inner Cabinet, an Executive Council—a sort of Ministry, and an Assembly of Councils—the Legislature. The first was Bolshevist, in general standpoint, the second Independent Socialist and Moderate Communist, the third predominantly Moderate Socialist. The Commissioners, especially the Russians, did not enjoy the confidence of the Assembly, still less of the garrison. I believe that they would soon have been replaced by a Socialist *régime*, but for the military action of Prussia and Würtemberg.

Nor were the measures taken by this *régime* what could be called Bolshevist. The absurd newspaper yarns, reproducing all the old calumnies against Russian Council Government, including the communisation of women, gave quite a false impression. I have a complete list of the Communist measures, and they contain nothing very sensational and mostly existed anyway only on paper. I will give two examples which I heard discussed before the Assembly. The

cafés chantants, a great feature of Munich, had all been closed on moral grounds, not without justification, as those who know Munich will admit. The delegates of the employés appealed against this as throwing three thousand people out of work. The debate showed that this measure was largely a protest of the workmen against the irregular lives of the Communist leaders themselves, and the cafés were allowed to re-open under the control of a committee of the Assembly. Further, the middle-class papers had been suspended by the Commissioners. So representatives of the Communist and Independent papers rose to say they would suspend publication until this prohibition was removed. This threat was carried out and at the time I left the prohibition was about to be repealed.

As to the practical results of the Bolshevist *régime* it was difficult to judge from the two or three weeks it was running; all the more that half this time was passed in the general strike proclaimed by the Communists which they could not prevent after their accession to power. But after work was resumed it was clear that conditions were normal. Order was not disturbed and the revolutionary tribunal as to which wild stories were told was a mild affair. It was even recognised by the local bar—and when an agent

of the Anti-Bolshevist League was caught with false Communist papers and large funds he was only fined the amount in his possession. Telegraph officials, accomplices of a spy in running a secret telegraphic service to Nuremberg, were acquitted as only irresponsible agents. Russian Bolshevism would have given them a short shrift. The only practical difference between Communist Munich and Independent Brunswick was that the Munich revolutionaries not having the hearty support of the garrison had to form volunteer corps of Red Guards. These, like the Government volunteers, were highly paid and fed, the means being provided partly by money confiscated as illegal remittances abroad, partly by printing new notes. The extent of the attempted exportation of money may be guessed from the thousand mark note, the only convenient means of exportation, having been worth fourteen hundred marks. The removal of the note printing presses to Bamberg embarrassed the Communists for a time, but they had succeeded while I was there in printing twenty mark notes, which were, of course, declared worthless by the German Government.

At the time I left Munich the garrison had declared in favour of negotiating with the expeditions menacing Munich from Augsburg and

Ingolstadt, and the workmen, though against negotiating with the troops, would clearly have welcomed a peaceful solution even at the cost of expelling the Russians. This I was able to report to the Premier Hoffmann at Bamberg, whom I found under the impression that negotiations were hopeless. Three days later, they were opened at his invitation at Nuremberg, but led to nothing, as the workmen would not agree to disarm. The troops accordingly marched in, driving the "red army" before them; and Munich, less happy in its leaders than Brunswick, became the scene of the usual sniping and skirmishing by insurgents with machine-gunning and bombarding by the troops. The influence of the Russians was probably responsible for one particularly ugly incident, the cold-blooded murder of a number of "hostages" in reprisal for the wholesale shooting of prisoners by the troops. Leviné, the leading member of the Russian clique, was captured and shot and several less dangerous and even quite harmless revolutionary or Radical leaders also perished, some "by accident." Levien was arrested some months later but escaped to Vienna. The new Bavarian Ministry, or rather the old Bamberg Government restored, then took on the same character as the Ministry in Berlin; that is a Govern-

ment by military force behind a Moderate Socialist façade.

The failure of the revolution in Munich was its last effort in this first volume of the German revolution. The movement thereafter adopted Leipzig as its centre, an Independent stronghold; but when later the Government picked a quarrel with Leipzig, occupied it with troops and abolished its Independent *régime*, there was no resistance.

In this autumn of 1919 the German revolution seems hunted to death. It has, however, only gone to ground.

CHAPTER IV

RUIN AND RECONSTRUCTION

THE mistake we are all making about Germany over here, and a very natural one, is that we can't realise what Germany to-day is like. While we are rapidly getting back to the material and mental conditions of pre-war days, Germany is daily getting farther and farther away from us. It is difficult to express the difference. We all know the curious psychological change that comes over our lives when the doctor tells us we must "give up"; how then in a moment, as we sink into bed, we are changed from responsible personalities, ruling our own and others' lives, to helpless encumbrances ruled by doctors and nurses; and how we only recover our rights through a long convalescence. Germany has given up. It carried on until it collapsed, and now lies semi-comatose; and we, still absorbed in our quarrel, keep pestering it with solicitors and foreclosures instead of patching it up with

doctors and food. Descriptions of economic conditions in Germany must therefore be read with the realisation that they are morbid symptoms. Germany may be, no doubt is, working its way through revolution to a saner, sounder condition, but at present is as abnormal and helpless as a snake changing its skin. Meantime, we, using the complete control over Europe that the war has put into our hands, have so interfered with this process as to risk making out of Germany as great a danger to the existing order in Europe as we made out of Russia.

Nor is the danger one of to-day only. In ten years' time when the Blockade will be no more than a memory, but when the surviving childhood of Germany, bodily wasted and mentally warped, comes to maturity, Europe will suffer for it. The fathers will have eaten their sour grapes by then, but the children's teeth will still be set on edge.

"I do not complain of your blockade, it ended the war," said to me a former Minister and a leader of political thought. "Yes, I've lost four stone since I left the trenches"—he was indeed only the framework of a once big and burly man with the low voice and languid bearing of the underfed. "I'm all right on what I get, it's the children—I could give you statistics, but

you wouldn't believe them; I never do. Go and see them yourself."

So I went. First a tour of the cellars of the great tenement houses of Berlin—cellars closed before as unfit for habitation, but now, under stress of house shortage, lived in by the large families of the German working class. In one I find a war widow keeping five children on the bare ration: 5 lb. of potatoes, 5 lb. of bread per head a week, ½ lb. of meal and 1 lb. of jam when they can afford it and find it. The bigger children get a quart of skim-milk a week, too sour for anything but soup—the younger about two quarts of full-milk. They are having their supper—cabbage and potatoes. The younger children nibble suspiciously at gifts of chocolate. They do not know what it is and suspect a new "substitute." The younger children look better than the elder. The eldest boy has lost his job because he "can't keep his feet." The mother is emaciated. Next door is another family—the father, a painter, is in work, but is continually losing days from "stomach-trouble." They have lost one child from decline.

And so on, always the same stories of struggle against decline from want of fats or sugar, for the sugar supply failed when the Poles occupied Posen—against dirt from want of soap—against

dark and cold, for the gas and coal are getting daily shorter.

Then I went to a public soup kitchen where a long queue of every class was waiting for its plate of potato-soup, just potatoes, absolutely nothing else, and they too deducted from the week's ration. "Splendid, splendid soup," says an enthusiastic little man, a small shopkeeper, perhaps, "not a rotten potato in the whole plateful."

Thence to the crèches and children's hospitals of the organisation started by the Empress Frederick and run for many years by English ladies. In these big, bright rooms there was the same ominous quiet as in the dark cellars. "We can keep them alive when we get them in time, but we can't do more. We can fill them, but we can't feed them with this," said the sister, ladling out potatoes and cabbage to the older children and oatmeal gruel to the younger. Everywhere swollen bellies and shrunken limbs—children of three that had nothing actually wrong with them but couldn't yet stand—children with "English sickness" as rickets is called—children of school age that couldn't be sent to school because they were so mentally and physically backward. Here and there a sturdy infant that owed a better start to some stronger mother, but

the most of them lying silent or wailing feebly. "We could save even that one," says the sister, unwrapping a baby so shrivelled it looked scarcely human, "but we can get nothing, though they give us here whatever there is. They know it's the children that matter most now."

Children have always meant much to the Germans, and in those days of growing disgust with the past and of growing despair as to the future they meant so much that nothing else seemed ever to matter to the women at any rate. I heard a woman prominent in politics say she was glad to hear that the Allies were going to occupy Essen, Düsseldorf and the industrial district, because then they must see what was happening to the children there, owing to the blockade and to the barring off of the milk supply from across the Rhine.

I soon saw enough to be satisfied that though food could still be got at a price in the eating houses of Berlin, private households of the whole working class and lower middle class were so straitened for food that some members of each family were being starved; either because they were too sickly to digest such food as could be got or because they were giving it to the children. The same conclusion was come to by the numerous Commissions sent out to report, even though

these were generally composed of young officers; instead, as they should have been, of experienced medical men and food experts. These Commissions were given every facility for estimating how far under-nourishment had deteriorated the working power of the poor and was deterring them from work. Also how far the low development and high death-rate of the children was due to this. And their reports show what a terrible responsibility we assumed when we maintained the blockade after the armistice, as a means of political pressure and a method of penal procedure. These reports are easily accessible to English readers, so I will only give here, for what they are worth, the conclusions come to by one representative neutral and one native authority. A Copenhagen association for studying the economic results of the war, estimated that the German population, which at the beginning of the war was about 67·8 millions, would, but for the war, have risen by now to about 70 millions and had sunk to about 65 millions. Of this decrease 3·5 millions was due to diminished birth-rate and 2·1 millions to increased mortality. In the last years of war the birth-rate fell to one-half. Of the increased deaths, 700,000 were ascribable to insufficient nourishment, mainly in the last two years of war. In

1918 the death-rate for both sexes over 60 increased by half and doubled for children between 4 and 14. My observations also suggest that it was children of this age that suffered most from the blockade. The loss of about two millions of men in the prime of life, the decreased vitality of the women and children who suffered especially from the blockade, and the general economic conditions of the country, make any early re-establishment of previous productivity impossible.

Again, in the *Deutsche Medizinische Wochenschrift* one, Geheimrat Rübner, compares losses by war and blockade as follows :—

	Military losses by		Civil losses
	Wounds.	Disease.	by blockade.
1st year of war ...	481,506	24,394	88,235
2nd ,, ,, ...	330,332	30,329	121,174
3rd ,, ,, ...	294,743	30,190	259,627
4th ,, ,, ...	317,954	38,167	293,700[1]
5th ,, ,, ...	62,417	10,902	—
	1,486,952	133,982	762,736

According to this estimate the blockade by the third year was causing almost as heavy losses as the war itself ; and a calculation on this basis suggests that the continuance of the blockade

[1] To end of 1918.

after the armistice for six months, must have cost Germany at least 100,000 lives.

Presumably we intended the pressure of our blockade to ensure prompt acceptance of our peace conditions. If this was our policy, it was a dangerous mistake. A people, as docile and disciplined as the Germans, would have accepted any terms dictated them while still under the impression of their military defeat and of the moral derailment caused by the revolution. They would have welcomed our armies as allies in spite of the efforts to rally them made by Chauvinist or Bolshevist extremists. And nothing that a foreign State could have done was better calculated to make such efforts successful than the blockade and the boycott. Neither in Germany nor in Russia have we learnt that it is better to feed an idealist than to fight him. It is only those who fast who see visions.

The food scarcity from which Germany was suffering during the six months I spent there, was something between the food shortage from which we were then emerging and the famine we were imposing on Russia. Germans were not dropping dead in the streets as they were in Russia; but, on the other hand, Germans were not merely being restricted to a sufficient ration of simple food as were we in England. The German

rations were insufficient both in quantity and quality. This was especially the case in the essential elements of nourishment; in bread-stuffs, fats, and sugar. Bread was particularly bad; and I realised as I never had before that if one cannot live by bread alone, bread alone is what one cannot live without. So rotten bad was the blockade bread that the staff of life became little better than a stab in the vitals. This punishment of the Prussian Prometheus should not be overlooked when we cast up the reckoning. But how can we realise it? I remember, the day after I got back from Germany, seeing a girl in a Berkshire village come out from a baker's shop with a large piece of white bread and give it to her donkey. Three days before I would have pulled her and her cart all round the town for that bread.

During my first weeks in Berlin I found that I was being continually reminded of the lines of the American poet:—

> The window has a little pane,
> And so have I.
> The window's pane is in its sash,
> I wonder why.

And after wondering why for some time I asked a doctor friend. "Oh," said he, "that's only the war bread. It will last some two months or

so, and then you'll be all right again. If it goes on longer I'll give you a medical certificate for invalids' bread." But I could not face those two months. I used to bring bread back from Weimar, where it was better in quality, and after it went mouldy, boil it up into puddings. Travelling, I lived mainly off imported tins of oatmeal cooked in a stove of my own invention, for portable fuel such as petrol, spirits of wine, etc., was unprocurable. Here is the patent, which tourists on the Continent may find useful pending the permanent peace promised us by Paris. You take a small oblong biscuit tin and cut out one end. You stand your pot or a pan on the tin, roll up a newspaper, light it and shove the lighted end into the tin, stopping it from burning too fast with the tin lid. You can boil a kettle with a number of the *Tag-Blatt*, and the morning paper heats your porridge instead of, as usual, cooling it. I say nothing of the mental and moral advantages.

And if the bread was deleterious, the showy-looking biscuits and cakes that flaunted shamelessly in the shop windows were positively deadly. What they were made of German "substitute" experts alone know, but mainly, I should think, saccharine and sawdust.

While this state of affairs was mostly due to the

blockade, statistics of German home cereal production before the war suggest that, with anything like the increase of home production that we brought about in England, there should have been enough to provide the population with wholesome bread. And Germany, both from its superior administrative organisation and from its far larger proportion of home-grown food, seemed likely to have done better than we did. But, both in total production and in production per acre there was a heavy fall, amounting to as much as about 50 per cent. in such important crops as rye and potatoes; while the slight recovery recorded in 1918 was due to a very favourable season.

And the reason for this collapse was loss of labour power in men and animals and of fertilisers, natural and artificial. Women in Germany do not play the large part in field work that many of us supposed. The greater proportion of the heavy work of cereal production was done by immigrant labour, and for that the prisoner labour seems to have been a very inadequate substitute. When this disappeared the effort to induce unemployed to go on the land was as complete a failure as might have been expected from our experience. To this loss of labour must be added the loss of agricultural land in the

province of Posen, now occupied by the Poles, from which Berlin and the Saxon industrial districts drew their grain and potatoes. Thereafter the potato ration in Leipzig was for some time reduced from 5 lb. to 2 lb. weekly.

The importation of flour from America made at first little difference. It cost far too much and came to far too little. Meat was nearly always procurable at a price, and, if one knew where to go, was good enough. And for a hundred marks or so, equivalent to five pounds at the pre-war rate of money, quite a decent dinner could be got in select restaurants.[1]

The organisation of food supply was distinctly good. The conditions in Germany were indeed far more difficult than in England. Instead of having merely to control the importation at the main ports in Germany the supply had to be controlled before it left the hands of the individual farmer. This could, of course, only be done on

[1] The advertisement columns of the daily papers, those most trustworthy of documents, told many a tale of distress. Here is one such advertisement :—

"Valuable violin—Antonius Stradivarius Cremonentis, authentic, will exchange for provisions: meat, sugar preferred."

But it's an ill wind that blows nobody good, and if it blows away the family heirloom it blows off the mortgage on the family property :—

"Summer holidays in peace and plenty. Farmhouse in Harz mountains will receive family and provide them with farm produce, milk, butter, eggs, etc., in return for redemption of mortgage of 10,000 marks."

broad lines. The system followed was to divide the country up into administrative areas corresponding to the local governments and roughly to apportion the supply of food products to the population. This resulted in certain areas becoming surplus and others deficit regions; and the surplus regions were then compelled to supply a certain proportion of their abundance to their less fortunate neighbours. But, of course, no control, however meticulous, could prevent rural districts from feeding full before anything went to the industrial districts, or could stop illiicit trading between the well-to-do and the farmers. This "schleich-handel" or sneak trade kept the profiteer well supplied throughout the war with farm produce. After the revolution this profiteers' sneak trade was supplemented by a proletariat sneak trade, in which plundered stores were hawked through the poor quarters by broken soldiers and miscellaneous brigands. In Berlin, round the Alexanderplatz, there was perpetual skirmishing between these "wild traders" and the patrols of the Frei-Corps. The efforts to suppress the sneak trade of the well-to-do classes supporting the Government were not so drastic. Butter could generally be bought through the hotel waiters at forty marks a pound.

There was noticeable in all this a marked deficiency of public spirit in respect to private life. The German has for so long been drilled and dragooned in his public life that his civic conscience is little developed. Whereas in England one had the impression that the government and authorities, and especially the army, were the worst offenders against national economy and the mass of the middle class the most conscientious, in Germany it seemed quite the other way. Undoubtedly one of the irritants that excited the revolution was the failure of the rationing system to secure an equitable distribution—or anything more than a minimum of certain staple foods.

This food shortage is, of course, a cause as well as a consequence of the economic collapse of Germany. German economic life, swept away for years on the tide of war effort, now revolves round and round in a vicious circle like a dead carcase in an eddy after a flood. Famine and fighting have made the people too weak and too weary to work; but until they work they cannot get food from abroad or grow it at home. That is the economic vicious circle. The boycott and blockade have made the people too restless and revolutionary to reconstruct and remodel their constitutional institutions; and until they do so

they are to be boycotted and embargoed. That is the political vicious circle in foreign affairs. In all regions of economic life one finds this endless chain of cause and effect revolving round Paris and fettering such energies as are left to Germany.

This is not the place for an estimate of the material sacrifices we have made and are making, so as to coerce Germany into accepting the peace conditions of Paris and into suppressing its own revolutionary movements. I would only point out that a brisk trade between France and Germany was proceeding all through these months of blockade. For example, an acquaintance in Switzerland who wanted in February a certain well-known make of French tyre was told by his garage that they could get them cheaper than in France if he did not mind where they came from. They came via Germany. And no sooner was the Treaty signed than a swarm of American agents descended on Berlin, buying up businesses right and left, as also such stocks as were left. Small wonder, with the mark at one-quarter its pre-war value. As to *objets d'art* and paintings, the ruin of the plutocracy and the low rate of exchange threaten to strip Germany far more effectively than any German raiders could strip the villas of France

and Belgium. But in this legitimate indemnity we English have not benefited. We are too much afraid of "dumping," no doubt.

There are still probably many in England who fear that German competition will begin immediately with the raising of the blockade. Apart from the political and social conditions that make impossible an early convalescence of German industry from its complete collapse, the following official data taken from the preface to new regulations for the textile industry, show the conditions to which this industry was reduced before the revolution. This document it may be noted, is not one prepared for foreign consumption.

At the outbreak of war German industry had a stock of 300,000 bales of cotton on hand, and as much more was held by the Bremen merchants. And as much more again was imported up to the breach with Italy in May, 1915. The stock then was 600,000 bales. During the war 200,000 bales were seized in Belgium and Poland. This supply allowed the German mills an output of 4 per cent. to 5 per cent. of their annual peace output of about a million tons. The annual local wool production during the war was 7,000 tons, flax 20,000 tons, hemp 11,000 tons, artificial wool 25,000 tons, and artificial cotton from rags, etc., 33,000 tons.

Attempts to grow cotton substitutes were a failure. Nettle fibre in 1916 amounted to 200 tons, turf fibre 2,000 tons, reed fibre 1,000 tons. Artificial fabrics (stapel-fasser), on the other hand, rose to an annual amount of 10,000 tons, and seem to have a future. Paper thread rose to 150,000 tons annually, but is only a war expedient. The home production of fibre was about 2 per cent. of the previous importation.

These official figures show that the arrears now required are such that if they could be supplied they could not be paid for. A value of about five milliards is required as compared with a value of 1½ milliards imported before the war, and 5 milliards is about the total value of all raw material imported annually before the war. The only prospect of supply otherwise is from home-made artificial fibres, and that only if they are protected against foreign cotton, which is absurd.

All the proposals now under discussion for improving methods of production by co-ordinating and controlling the factories even if feasible and effective will not, in the opinion of competent persons here, make up for any material proportion of the loss of productive power due to present conditions both of capital and labour. They wish to get this and other industries restarted, not with any prospect of profit, but to provide

clothing and work for the industrial population.

Of course, if the economic policy of the Treaty is ever realised and we artificially stimulate the production of Germany and strangle its consumption, we shall, if the country recovers, and is resigned to work under such conditions, run a real danger of a dumping of a most dangerous character. The semi-servile employment of the Germans could under such conditions be used to fight the efforts of our workmen for economic freedom; just as the semi-servile enlistment of Hessians and Hanoverians was used to fight the efforts of our American colonies for political freedom. But this policy, if policy it is, depends on whether and when Germany is sufficiently recovered to work again.

When we measure the exhaustion of Germany on the one side against the enormity of its burdens on the other, it is difficult to believe that it can ever recover in the near future. German economic life has had to endure three crushing blows —the war, the revolution, and the peace. It was financially ruined by the war, industrially ruined by the revolution, and economically ruined by the peace terms. Little need be said as to the financial ruin caused by the war. In its general lines it is the same as that suffered by

all belligerent peoples; in its details it would require a book to itself. War losses reduced the industrial, agricultural, and mental producing power of the male population by about a fifth, which may well be doubled to cover the reduced productivity of the remainder due to physical anæmia and political agitation. The productivity of the soil was reduced by over a quarter, owing to want of labour and fertilisers. Live-stock was reduced by two-thirds. Deadstock, including industrial plant, railway rolling stock, shipping, buildings, etc., was all much more reduced in value than with us, owing to the greater material concentration of Germany on its war effort. The State was bankrupt even in the opinion of the most optimistic. But all this was remediable, even rapidly remediable, as soon as the people recovered their vitality. And then came the armistice which for nine months blockaded and bled the patient. If one were to enquire which of the particular bleedings most contributed to his relapse into his present condition of coma one would choose the taking away of the 5,000 locomotives. The tie up of internal transportation that followed did more than anything else to injure the economic vitality of the country.

German unity was economic rather than poli-

tical in its origin and dates from the Zollverein and the railway system. Germany was made a nation economically by railway construction in the 'forties'; though, unfortunately, the attempt to realise this unity politically on a liberal basis, in 1848, failed. Even in the present Constitution, we can recognise the degree to which the railways are relied on for binding the country together across the mediæval barriers of provincial frontiers. It was to some extent realisation of its political importance that made the German railway system the pride of the country; and it was the manner in which this system met the extraordinary demands of modern warfare that enabled Germany to exploit strategically to the full its internal position and fight a war on four fronts. And now the condition of the railways is a striking illustration of the economic and political conditions of the country.

Here is an account of a journey from Berlin to Munich undertaken last Easter:

In peace time, if you wanted to go to Munich from Berlin there were half a dozen trains daily which did the journey in seven or eight hours, and provided reading cars, eating cars, and sleeping cars at a rate no more than an English third-class fare. Even after the war one train daily only took eighteen hours, and the second-class

carriages, though very crowded, were comfortable enough. So, when I was warned that if I wanted to see the Russian Communist *régime* in Munich at work I must lose no time, it seemed worth spending Easter week examining whether Russian Bolshevism can take root in Germany. As a matter of fact, I got just twenty-four hours in Munich, the rest of the week going in travelling.

The first difficulty was a strike of bank clerks, so that I had to leave short of money. The next was that owing to the coal strike all passenger trains in Saxony had stopped running, and the only route open was round by Frankfort. The Spa night express was, of course, running; a long train of sleepers for the Allied officers and official or officious personages, and a few ordinary carriages. Thanks to some British Tommies, for whom a first-class carriage was reserved, failing to turn up, I got a seat, and so comfortably enough to Cassel about dawn. There I found that the suspension of passenger traffic had been extended, and that a hundred miles of dead country lay between me and Würtemberg, where trains still ran. Fortunately, a party of prisoners from England were being sent south on a goods train, and I got leave from the Red Guard to join them. The station officials objected

strongly, but the prisoners, some of whom had been reading *The Daily News*, overruled them.

And so, bumping slowly along on a wooden bench all day, discussing, cooking and card-playing with the prisoners, past stations with names reminiscent of pre-war high living. Leaving the goods yard at Frankfort about ten that night, I was lucky enough to run across a motor-bus just starting for Darmstadt, in Würtemberg, and got there about one in the morning with a jolly party of South Germans. Three hours on a waiting-room bench, and then at dawn on Easter Monday a train south into Baden, and then from Heidelberg east through Würtemberg.

All this country seemed to have suffered little from the war and to be wonderfully happy and prosperous. The change came again in the afternoon after crossing the Bavarian frontier and climbing slowly up on to the Swabian plateau. Down in Baden it was full spring, with fruit trees in bloom and warm sunshine. Here was winter, a bitter east wind and snow flurries, bare uplands and dark pine woods.

After passing Ulm were the first signs of the winter of discontent, some telegraph poles sawn through. And finally, just when a bed at Augsburg after two nights up seemed assured, we were all turned out about eleven at night at a miserable

Swabian village called Dinckelscherben. There was fighting in Augsburg and all access to the town was barred by the Würtemberg troops there.

It was freezing hard, with a bitter wind, and I joined a forlorn party of some score travellers who wandered about knocking vainly at the doors of the big farms that made up the village—no Swabian farmer opens to a stranger at midnight these days. The only beerhouse was packed two deep with travellers from an earlier train, but took in the women on our threatening to storm it. The rest started off to tramp the rails to Augsburg, seventeen miles away; but as this meant abandoning my provisions I broke into a hayloft and bested the rude Swabian boor. The bauer by daylight was somewhat less of a Swab and gave me milk for my porridge, the first I had had for three months. He also produced at a price a queer little shay, with a half-broken Ukrainian, swerving erratically about beside a long pole, in which I drove over the plateau to Augsburg, getting there about noon.

Coming in to Oberhausen, the workmen's quarter, there were all the usual signs of trouble—deserted streets, bullet-starred walls, and broken windows. The street was blocked by a crowd that was being addressed by a speaker, from a

window. The shay was surrounded by men armed with rifles and bombs; and half-starved Bavarian workmen, without sleep for days and fighting against odds, made an ugly looking crowd. They were not at first satisfied with my papers; said they, "If you are an English *genosse* make us a speech and if it's all right we'll let you through, if not—" It was a severer *viva voce* than I'd had for the Diplomatic Service, but I passed, and some of the elder men escorted the shay through the lines for fear of accidents. They promised not to draw fire from the Government machine-guns until we were across and the Würtemberg outpost was safely reached.

That afternoon was spent in Augsburg, the base of the Würtemberg Expeditionary Force, and the next stage was the fifty miles of road to Munich. No motor would go for fear of being confiscated by the Communists, and in all Augsburg there was only one fly with a pair of horses that could do it. It asked £20 for the round trip, about four times what I had with me. However, having bought an option on the fly, I had a monopoly of the transport to Munich, and had only to float a company. A merchant, an officer in mufti, probably a spy, and a charming lady in the dress of the Red Cross took the other three seats at £5 each, and I had still the seats

for the return journey. These eventually brought a handsome profit that I divided between the Anti-Bolshevist League and the Communist Party.

These negotiations, and finding out what was happening in Augsburg, took the afternoon, and at dawn next morning we started over the rolling uplands for Munich. Outside Bruck we came on a score or so of Red Guards bivouacking in a barn, and nearer Munich passed through several pickets which searched for weapons, but gave no trouble. And so about two in the afternoon of Wednesday into Munich, having left Berlin Saturday evening.

The return journey was better. I had intended to leave Munich by the carriage for Augsburg on Friday, but on Thursday afternoon I heard the two parties had agreed to let a special train run for Munich merchants exhibiting at the Leipzig Fair. Having done nearly all that I came for, this chance was not to be missed. So I paid Levien, the Communist Commissioner, a farewell visit, and got a special permit from him to go by the Leipzig train. Leaving Munich about four with a train load of Munich merchants and their assistants, we went very slowly round by Landshut to Nuremberg, with nothing more sensational than searches for arms first by Red

then by White Guards. The special arrived at Nuremberg about dawn, and was to wait six hours there; so finding a train was leaving for Bamberg, the seat of the Hoffmann Government, I went on there, and spent the morning in the picturesque old town, then the "Weimar" of Bavaria. Like Weimar, the station was barricaded, and a pass was required to enter the town. Like Weimar, the town was worth entering, for food was plentiful.

Having seen the Premier, I got back to pick up the Leipzig special. But the railway officials had other views, and there was no Red Guard to overrule them. My Communist permit was useless, and there was no time to get one from the Bamberg Government. So I had to see the special steam out. This might have meant a day's delay, as Bavarian passenger traffic was by now also suspended, the Bohemian coal having been cut off. I was lucky in getting on in a wooden box hitched on to a regular dachshund of a goods train, it was so long and slow. It crawled gasping up into the Thuringer Wald, and there after dark ten miles from anywhere lay down with no sign of life but an occasional sigh. After some hours a Prussian engine came down, and pulled it over the ridge, and we got clear of Bavaria at Probstcella about midnight.

Here there was a great row between the Prussian and Bavarian railwaymen. The Prussians complaining the Bavarians kept them up to all hours by being always late and the Bavarians saying it was the bad coal the Prussians sent them. Our small party, headed by some Bavarian officers, profited, because we backed the Bavarians, who in return insisted on our being taken on with the train. Behind the Prussian engine we developed a surprising turn of speed, and rattled along expecting at every station to be turned out or shunted until we got into the main line at Halle. A judicious change at a way station into a passenger train that overtook us, and three hours' standing up in a carriage with fourteen people, a large dog, two goats, and a baby, brought me to Berlin about two on Saturday afternoon.

Nor was this a unique experience. On my last journey home the locomotive broke down and had to be changed three times before we got to Hanover.

A German train with its immense but impotent engine, its ponderous but dilapidated carriages, its officials once resplendent and arrogant, now servile and seedy, its groaning crawl from one breakdown to another, is a painful picture of the German State.

And the financial position of the State railways is illustrative of the condition of State finances. Before the war the Prussian State Railways contributed to the budget a surplus of 600 million marks—now they show a deficit of 2,000 millions.

In the intervals between the crisis of its internal convulsions Germany worries feebly about its finances, much as a merchant in mortal illness may worry about his bankruptcy. But, of course, nothing has been done or could be done because the business was still closed and the chief creditor had not yet filed his claim. Now we know what Paris expects Germany to pay, and we also know something of the financial position from the statements of the Finance Ministers, Schiffer, Dernburg, and Erzberger.

The German debt before the war was an annual charge of 230 million marks, the peace expenditure excluding the army 200 millions. The war debt in December, 1918, was 146 milliards, increased in January by 3·5 milliards, in February by 2·7 milliards, in March by 2 milliards and estimated to increase further by 1½ milliards per month on an average for the coming financial year. To this must be added ½ milliard for cost of expropriations, 4½ milliards for reconstruction of ravaged territories in Prussia, 1½ milliards for compensation of German shipowners, separation

allowance subsidies to the German States, etc., in all 185 milliards about, with an annual charge of 10 milliards. Reduction of this item by total or partial repudiation of this debt, though advocated by the Opposition, is impossible without causing economic ruin and political revolution. The new army is estimated to require 2 milliards; about the same as before the war, because of the enormously exaggerated expense of this small volunteer force compared with the old conscript army. If, to the great political advantage of Germany, a Swiss militia were substituted for the Frei-Corps, this item could be halved easily. The estimate of 4½ milliards for pensions is the same as that of France and will probably be exceeded, though as yet less than half that is being paid. This makes up a total annual estimated expenditure of 17,429 million marks, the mark at pre-war exchange being equal to a shilling.

As Herr Erzberger's speech on the Budget showed, he is faced by a financial position unparalleled in the history of national bankruptcies. The interest which he has to find on the Imperial debt amounts by itself to Mk. 10 milliard; and his total annual requirements, exclusive of the Allies' demands under the Peace Treaty, are estimated at Mk. 25 milliard. Before the war

the revenue from Imperial taxation was under Mk. 2 milliard. Additional taxation imposed during the war yields about Mk. 4 milliard. To-day therefore Germany is faced with an annual expenditure of Mk. 25 milliard and an annual revenue of Mk. 6 milliard—*i.e.*, an annual deficit of Mk. 19 milliard, nearly ten times greater than the whole revenue of 1913. The new taxes actually proposed are estimated to bring in about Mk. 2 milliard. But the main sources upon which the Finance Minister is going to rely are two: a levy on capital and a tax on sales. The levy establishes a graded tax on all property, starting at 10 per cent. and reaching a maximum of 63·9 per cent. Payment may be made by instalments spread over 30 years, and it is estimated that the tax will bring in about Mk. 4 milliard annually. The tax on sales is still more drastic. It really consists of three different taxes: (1) a general tax of 1 per cent. on all sales, (2) a tax of 5 per cent. on retail trade, (3) a tax on the producer of luxuries of 10 per cent., and on retail trade in luxuries of 15 per cent. This tax is estimated to bring in about Mk. 3 milliard. But even after this raid on the owners of property and upon capital, the unfortunate Minister of Finance is faced with a deficit of Mk. 10 milliard. He proposes to get

Mk. 2½ milliard out of beer, petroleum, stamps, flour and meat, and the remainder, Mk. 7½ milliard out of a uniform income tax for the whole country and an excess profits tax.

The magnitude of these sums can be estimated when it is remembered that the total incomes of all Prussians earning more than a pound a week only amounts to 19 milliards, and that Helfferich's estimate of the pre-war income of all Germany was 315 milliards. But that was a very different Germany from the present. Germany has lost a greater part of its mineral wealth, the coal of the Saar, the potash of Alsace, the ores of Luxembourg. She has lost her colonies with their great potential wealth. She has also lost her fleet and a great part of her railway material. Over a million and a-half, or 16 per cent. of the male working population are dead. Industry has neither the capital nor the energy to reconvert itself to peace productivity. Much of the capital left is either concealed or has been carried abroad. German holdings of foreign securities were estimated at twenty milliards before the war and not more than one milliard now. Over a milliard of the gold reserve at the Deutsche Bank has been paid for foreign provisions, leaving only a milliard and a-half to cover a note issue of thirty milliards.

Germany must by March, 1921, deliver up all payment in kind, *i.e.*, goods, ships, coal, etc., which might possibly exceed the total of £800,000,000 provided by the Treaty. On the other hand, Germany must pay the pensions due to disabled soldiers and the relatives of the fallen, which in the case of France alone amounted to £8,000,000,000. In all, Germany is liable for a sum of £15,400,000,000, which should be paid off in a period of thirty-six years. For the two first years after the war she will pay nothing, but subsequently she must pay £554,000,000, with interest at 5 per cent. The total amount paid by Germany will therefore amount to £18,520,000,000 at the end of thirty-six years.

And most serious loss of all—she has lost for a time, anyway, all will to work. Improvement in food and general conditions of life will do something for this, socialisation of industry and introduction of the Council system would do more, but it will take time. Even if Germany obtained at once a return of energy, a reopening of markets, a re-entry of raw material and a free recourse to foreign capital, and she will have to wait long for all of these, even so it seems very doubtful whether she could make a living under such a load of debt. This will mean the emigration of from ten to twenty million Germans in the

course of the next few years, to the West if it is open to them, but otherwise to the East. Germany will, in fact, be brought down to the political and economic conditions of Portugal.

We pursued this policy of ruining Germany for a century because we were still under the impression of animosities and anxieties that belonged to war conditions. Our attitude was that the Allies should get what they could out of Germany while they could; and if the attempt ruined Germany, Germany had deserved it.

This was the attitude that prevailed during the armistice period. But the Peace of Versailles has inaugurated a more systematic and far-reaching exploitation. This is no place to review its economic and financial provisions; but no one could read them without realising that our policy is apparently to make Germany work for us as its bankers, brokers, shippers and creditors with unlimited claims. To take a rake-off as merchants and middlemen from all German manufactures and to set up a receivership over Germany that we call a Reparation Commission, with the right to claim any remaining profit. The powers of this receivership are such as to prevent the development of any German competition with us in the conduct or control of German production. Combined with the claims for

damages these powers would, indeed, make all government impossible. For example, under them Germany is liable to pay the pension claims of the dependents of Sikhs, Senegalese or South Carolina negroes to the exclusion of its own wounded and widows. But the policy, in so far as a compilation of the unchecked schedules and uncriticised schemes of war profiteers can be said to have a policy, is that of making the German workmen produce for British Big Business. The functions ascribed to the so-called "Reparation Commission" represent an attempt to make the German proletariat work under foreign exploitation. Experiments in foreign financial control we have had in Eastern Europe, with semi-civilised peoples; but this is an attempt to set up foreign economic control over a people which in industry had won for itself the first place in Europe. At first sight one is inclined to reject this policy as a practical impossibility; but so extreme is the debility of Germany, and so exceptional the docility of the people, that I am inclined to think it might have had some temporary and partial success but for one thing—the Council movement and the demands of the workmen for the socialisation of industry.

Without some measure of socialisation of industry, without some measure of political representation through Councils, the unemployed will no t

return to work and the employed will only work in fitful intervals between strikes.

Between the November revolution and the end of February the coalminers alone forfeited 23 million marks of wages in more or less meaningless strikes; and this was before the great strikes of the spring, which had an obvious political purpose. This is three times the loss incurred in the last pre-war strike of 1912. The decrease in production rose from a quarter-million tons in December to a million in February, and this was little compared with the loss that followed, estimated at no less than ten million tons.

During the first six months of 1919 there were always at least a million and a half workmen drawing an unemployment pay of about two-thirds of their average wage.[1] Add to this

[1] The following percentages of unemployment during and after the war may be of interest :—

Month.	Average 1908–1913.	1914.	1915.	1916.	1917.	1918.
Jan.	3·1	4·7	6·5	2·6	1·7	0·9
Feb.	2·8	3·7	5·1	2·8	1·6	0·8
March	2·3	2·8	3·3	2·2	1·3	0·9
April	2·2	2·8	2·9	2·3	1·0	0·8
May	2·3	2·8	2·9	2·5	1·0	0·8
June	2·3	2·5	2·5	2·5	0·9	0·8
July	2·2	2·9	2·7	2·4	0·8	0·7
Aug.	2·2	22·4	2·6	2·2	0·8	0·7
Sept.	2·1	15·7	2·6	2·1	0·8	0·8
Oct.	2·1	10·9	2·5	2·0	0·7	0·7
Nov.	2·2	8·2	2·5	1·7	0·7	1·8
Dec.	3·2	7·2	2·6	1·6	0·9	5·4

outlay that of the force raised to prevent the workmen from realising their revolution—the seven hundred thousand Frei-Corps, engaged at such a high pay that this Prussian volunteer force of to-day is budgeted for at the same total as the vast German armies that dominated Europe before the war. It is curious that Germany should now be paying the same amount to terrorise a few working quarters that it paid five years ago to terrorise the world. And the second attempt is as hopeless as the first, for the revolution will not be denied. Even the bureaucratic Social-Democrats of the present Government recognise this and try to placate it with words.

"Socialisation has come," proclaim the Government posters all over Berlin, and when I was in Berlin I thought I'd see if I could find it. First, I went to the special department responsible, where in a commandeered hotel I was introduced by a charming lady typist to an equally charming temporary official. He was an enthusiastic alpinist, and asked affectionately after my brother and other English climbers; and, finally, with the help of the typist we unearthed some pamphlets and propaganda leaflets. It was quite a shock on leaving to find oneself in the Wilhelmstrasse, not in Whitehall. Then I tried Westminster—I mean Weimar—where I found two Government

Bills being shoved through in a great hurry, because the Socialist supporters of the Government had, like me, been investigating what was behind the posters and pamphlets, and had found only brick walls and bureaucrats.

And to what does it all amount? Practically nothing, except as regards the coal industry, and so far rather less than nothing there. But the course of events is instructive and particularly interesting for us.

The German coal industry, even more than ours, has in the last quarter-century become a monopoly under control of great capitalist combines. Their power is not affected either by the State-owned Prussian mines or by any possibility of new coalfields, as these are either held in reserve by the combines or are too unremunerative to compete. Already before the war this monopoly had been recognised by all parties as not in the public interest; but "nationalisation" in the sense of State exploitation was prejudiced by the poor results given by the State-owned properties of the Saar fields.

This inferiority was due not to inferior industry on the part of the workmen but to inferior initiative and independence in the management. What effect over-papered, under-paid officialdom can have on the productiveness of a

coalfield is shown in the following annual percentages of total production:

Year.	Westphalia. Private.	Silesia. Private.	Saar. State.
1860	26·6	24·7	19·5
1880	53·0	23·8	12·6
1890	55·2	26·2	9·4
1910	59·9	24·4	9·3
1913	60·2	22·8	8·9

But with the revolution came an alternative to "nationalisation"—"socialisation"—in which all those connected with the coal industry should have an interest in it. An autonomous guild might preserve initiative and energy; while the interest of the consumer and of the community might be safeguarded by representation in the Guild and by State supervision.

A beginning was made towards such a solution in regulations, passed in the first months of the revolution, recognising the functions of the Workmen's Councils and attempting to reconcile their activities with expert administration and official supervision. No progress was, however, made by Weimar during the spring in this practical process of working through a sort of Whitley Council system to a sort of Guild Socialism; and the general strike of March found the Government with nothing in particular to which it could refer its critics.

Accordingly two Acts were hurriedly run through the Assembly. One, the "Socialisation Bill," recorded the right of the citizen to employment or to support (amended to reserve "personal liberty")—the right of the State to socialise all economic enterprises (restricted by amendment to cases of urgent necessity and adequate compensation)—the administration of socialised industries by autonomous guilds—(amended to include the State or other Government authorities). And from this it will be seen that an Act intended to establish general "socialisation" in principle, on a basis of expropriation, was amended into one contemplating "nationalisation" in urgent cases, with compensation.

A clause in this Act required immediate application of the principle of socialisation to coal mines, and a Coal Bill has accordingly also been passed. By this the State takes over the industry and entrusts it to a Coal Board, reserving the right to regulate prices. Nothing is said as to the composition of this Board, but nothing is changed in the proprietary basis of the industry further than its organisation in regional syndicates.

There is also to be an Expert Council, representing employers, workmen, and officials equally. The retail coal trade remains untouched.

As to "Socialisation" generally, the reports of the Socialisation Commission have all been rejected and the Commission, that last relic of the revolution, resigned as long ago as May. The recommendations of Wissels, an active Minister, had as little success and he resigned in June.

The Government had promised that socialisation was to be established in the Constitution; but Art. 156 of the Constitution does no more than give the State the power to "socialise" and syndicalise industry, while Art. 155 says that private royalties are to be legislatively transferred to the State.

Therefore, in spite of plaintive posters, it is not communistic socialisation, but capitalistic syndicalisation, that has been introduced in Germany. While loudly proclaiming a step forward, the Government has taken a long stride back.[1]

[1] To do justice to the German revolution I annex a schedule of measures passed by the Peoples Commissaries before the Weimar Parliament met and reaction set in. How far these are being at present enforced I do not know.

Unemployment provision—regulations of 13th November and 15th January. The cost is borne one-half by the Reich, one-third by the State and one-sixth by the locality. The rates must be reduced by April, 1919, to a maximum of six marks per day. It can be withdrawn on refusal to work for insufficient reasons.

Employment regulations of 4th and 25th January. Previous employés on demobilisation must be re-employed and persons

"Socialisation" has not as yet affected the economic basis of the Prussianism that we have been fighting. This basis was a coalition between the old political interest of the landed proprietors and the new political interest of the captains of industry, or, to express it shortly, between the Junkers and the Jews. The free trade and liberalism that kept Great Britain from "Prussianism" in spite of the power retained by a few feudal families and the landed gentry was due to the different relationship in England between the upper and middle classes. In England our "Junkers" and "Jews" coalesced during our great industrial development, perhaps because our upper class had already more Jews than Junkers. In Germany they remained apart but combined for their own interests. We have seen to what extent the revolution has threatened the economic authority of the captain of industry

employed in their absence only discharged under certain conditions.

Legislative regulations of labour. An order of 12th November, 1918, restored to force all sanitary and social regulations and restrictions suspended during the war.

Labour disputes. Settlement regulated by order of 23rd December, 1918, which sets up workmen's committees responsible for questions of wages, etc.

Prohibition of night baking, 23rd November, 1918.

Prevention of venereal diseases, 11th and 17th December. This measure penalises with three years' imprisonment those exposing others to infection even ignorantly and prescribes compulsory medical attendance.

—the industrial profiteer. Is the feudal landed proprietor also threatened ?

The first effort of the revolution further east in Russia, Hungary and the Baltic States has been to "socialise" land. Either, where the agricultural industry is primitive, as in Russia, by simply dividing up the land among the peasants, or where it is progressive, as in the model-farm estates of Hungary, by putting the estate under control of a council of workers as though it was a factory. But in Germany the urban character of the revolution, which has accounted for the comparative ease with which the Government have coerced it, is shown by land tenure being as yet little affected. The only definite action against the large landed estates, that I know of, is a measure of the Prussian Assembly postponing action until 1921. This characteristic procrastination is, of course, explained to the revolutionaries as merely allowing a short period for voluntary breaking up of the big estates, and to the reactionaries as a postponement of all action. Meantime financial conditions in Germany are quite as favourable to the dispersal of large estates as with us ; for wherever the farming system obtains the farmers have made even larger fortunes in Germany than in England. But the system of landed tenure is much more

varied in Germany. There is a large proportion of freeholders and copyholders, while big estates are farmed by bailiffs with hired labourers.

In the region of these big estates—the land of the Junker (Mecklenburg, Pomerania and Brandenburg)—the revolution is openly defied. The agrarians of these regions not long ago had a regular trial of strength with the present *régime*, and though worsted were none the worse.

The strength of the German revolution is in labour, its weakness is in the land.

CHAPTER V

COUNCIL GOVERNMENT

FROM its present position and at its present pace the Weimar Parliament will never overtake events. I remember once as a boy pointing out to a cavalcade in red coats jogging along a by-lane that the hunt was off in a different direction. "The hounds, you mean," said an old gentleman severely; "we are the hunt," and they all jogged happily on.

Meantime the dogs of war—of civil war between the constitutional and council movements, between Conservatives and Communists—are still running at a fearful pace and quite out of hand. The workmen will not work unless some real socialisation is introduced, and this is only possible if more steam be brought into the political machine than the parliamentary system can raise. Socialisation and reconstruction have been going back, not forward. The Socialisation Commission and the responsible Minister have both resigned, because Weimar would not give

effect to their mildly socialistic recommendations. Yet nothing can save Germany from bankruptcy and Bolshevism but a re-energising and reorganising of the people for peace at least as effective as that they underwent in the war. Nothing can do this but a new ideal and new institutions. And the ideal of direct political power for the workmen and the institution of an industrial councils system is, so, far as I can see, alone capable of drawing out such force as is still left and of driving the country through the slough of war weariness and waste.

The Councils movement in Germany, at first, followed much the same course at much the same pace as it did in Russia. In Germany, as in Russia, the Councils, after reaching at a bound the sole power during the days of revolution, relapsed under a re-assertion of Parliamentary and Party government; then recovered, and, in the case of Russia, realised the second revolution. The German movement was last spring (1919) in the early stage of recovery. Its development is of special interest to us, in that eventually the German movement will probably take a middle place between the Russian and our own.

Before the revolution the Labour movement in Germany was very much in the same condition as with us. The attempt to combine on a patrio-

tic platform all productive forces, and to concentrate Capital and Labour on winning the war, had only superficially smoothed over the distrust between Employers, Associations and Labour organisations, or the dissension between heads of unions and the bodies of workers. When the revolution broke out on November 9th it was carried through first by committees of sailors, then of soldiers, and finally of workmen, that sprang up simultaneously and assumed supreme authority. The advent of this new authority, however, brought about an alliance between the previous authorities thus put on one side, the Employers' Associations and the Trades Unions.

The employers, who had hitherto been resisting claims for an eight-hour day and a share in control, found themselves threatened with expropriation. Under the leadership of a Captain of Industry, Hugo Stinnes, they at once opened negotiations with the Unions led by Legien; and by November 15th reached agreement on the eight-hour day and the establishment of Labour Associations (*Arbeitsgemeinschaften*) equivalent to our Whitley Councils, and Labour Chambers (*Arbeitskammern*), for dealing with wages and welfare, in which employers and employed would have equal representation.

As Dr. Reichert, spokesman for the metal

industries, has pointed out to his supporters, these concessions looked more than they were. For the eight-hour day would have to be abandoned unless, as was unlikely, it became general in Europe; and as to the associations, it should always be possible to get in and bring over a "Christian" representative of one of the Labour organisations under the influence of the Catholic Centrum. It is this agreement, none the less, between the Trust and Trade Union bosses that is the basis of the present Coalition Government's Labour policy, and that is embodied in the new Constitution.

But, since the revolution, the real Labour movement of Germany has passed to the "Councils" (*Räte*), as we must call them for want of a better word. For "moot" is too archaic and "committee" suggests either a party of bores and busybodies or a *posse* of Bulgarian brigands; while Soviet, which is only the Russian for Council, would mean branding the movement as "Bolshevist."

Of these Councils then, the three main divisions in Germany are Workmen's Councils (*Arbeiterräte*), or Industrial Councils (*Betriebsräte*), Soldiers' Councils, and Communal Councils. Of these, the first only seem to have a constitutional future in Germany.

The Communal Councils have not yet been fully admitted to the Council system, and seem to have but little vitality.

The Soldiers' Councils, which played the more prominent part in the revolution, and still form part of the organisation, have not succeeded in making headway against the efforts of the Government to demobilise them. Thus a regulation of January 19th reduced them to welfare committees and restricted their right of deposing officers to a mere recommendation. Attempts of the more revolutionary corps to resist authority in December, January and March were put down by the Frei-Corps with excessive and progressive severity; and the large bodies of revolutionary troops that survived the demobilisation, as "Republican Guards," "Public Safety Guards," "People's Naval Division," &c., &c., have been gradually dispersed by the Government's Frei-Corps.[1] So that the Soldiers' Councils as the political organ of the revolutionary fighting forces are losing their importance. Now that the British Admiralty have recognised "welfare committees" in the Navy, it is safe to assert that the Council movement in Germany so far as con-

[1] They have since been replaced by two anti-revolutionary bodies, a sort of gendarmerie and a local middle class militia (Einwohnerwehr). The Frei-corps have become the Reichswehr.

cerns the armed forces is no longer in advance of ours.

Returning, therefore, to the Industrial Councils, we find that in the early days of the revolution the movement spontaneously developed an organisation consisting of a national Central Council, elected by a national Congress of Councils, in its turn elected by local Executive Councils. These were all political institutions, which for a few days enjoyed entire political power. This power passed back to the old political Parties and Parliamentary system, owing to the Council accepting as "Commissaries of the People" Parliamentary politicians, whose sole idea and secret intention it was to reconstitute a Cabinet and reconstruct a Chamber on reformed but not revolutionary lines. The capital error was in trying to realise the revolution by only establishing revolutionary bodies—the Councils—in supervision of, instead of in substitution for, politicians and officials of the old *régime*. This was the cause of the relapse into reaction.

The real revolutionaries realised this mistake and Liebknecht, after accepting office, withdrew and joined the Communists and "Spartacists." The Communists were and are, of course, "whole-hoggers" in the Council movement, whose war cries are, "All power to the Soviets" and

"Down with the Assembly." The Independents ranged from men like Ledebour, Daümig and Richard Müller, who saw in the Councils the salvation, not only of the revolution, but of civilisation, to men like Haase, Cohn and Breitscheidt, who believed that Parliamentary democracy and proletarian dictatorship could be co-ordinated. The Social-Democrats ranged from members of the Council organisation, who believed that the Councils should have economic functions, and who were last summer coming over to the Independents, down to men like Legien, who would abolish the Councils as a revolt against the Trade Unions, or Noske, who would abolish them as rebels against authority. The Democrats included intellectuals, who recognised the political utility of the Councils, but consisted mostly of Liberals with no appreciation for them: though many of these latter had been coming over to the idea, as, for instance, the veteran economist, Brentano, or the internationalist, Schucking.

Owing to a tactical blunder of the Independents, the Central Council, as well as the Cabinet of Commissaries, came under the sole control of the Social-Democrats, the Trade Unions, and Moderate Socialists. Consequently, the Central Council, instead of being the citadel of the Council system, became a salient from

which the enemies of the system could undermine its whole position.

The Central Council, pursuing the Government's policy that all power in the hands of revolutionary authorities must be surrendered to the parliamentary institutions, in February publicly and formally recommitted its mandate, whatever that might be, to the Assembly. One might have supposed that this solemn suicide of its central authority would have been the end of the Council movement. But exactly the same surrender of the Central Council occurred at a similar stage of the Russian revolution, with the result, not that the movement collapsed, but that control of it passed from the Socialists to the Communists. This seems likely to be the result in Germany. The first consequence of the abdication of the Central Council was that leadership passed to the Executive Council of Berlin, where the Independents and Communists were already in a majority. The Executive Council proceeded to press for a convocation of the Congress of Councils, and thereby a re-election of the Central Council. The latter procrastinated, but gave way on the Executive Council threatening to convene the Congress itself, but even then succeeded in having it postponed more than once.

Now, while the Opposition was moving to the Left in attempts to realise the revolution, the Government was moving to the Right, and rapidly restoring the old Police-State behind a façade of parliamentary institutions. The consequence was a growing dissatisfaction with the Government, which, for want of proper expression through the Council organisation, broke out in periodic strikes and street fights. These were exploited by the Government as excuses for repressive and reactionary measures, which all contributed to reinforcing the Council movement. It was the vicious circle that we in England have come perilously near more than once.

The defection of the Central Council also resulted in depriving the whole Council movement of any stability and solidarity, and drove it into local offensives or "*putsches*," which were beaten in detail. First Bremen and the coast ports, then Dusseldorf and the coal area, next Saxony and the industrial districts, and finally, in the first week of March, Berlin itself, all declared general strikes in which recognition of the Council system was the principal demand. And the Berlin strike, following close on that of Saxony, did frighten the Government into what might have been a considerable concession.

As late as the end of February the Government

had declared semi-officially that no member of the Government had the slightest intention of having the Council system incorporated in the Constitution either legislatively or administratively; but two days after the outbreak of the Berlin strike, early in March, the Government announced, not only the socialisation of mines, but the sanction of the Council system in the Constitution.

The first Government scheme for organising the Councils was of much the same character as the socialisation that it promised at the same time—an elaborate organisation of Factory Councils, Industrial Councils and Labour Chambers with "economic functions"; which all boiled down to little more than the "Whitley Council" principle previously proposed and rejected by the workmen. Since then the Government has had to concede more, and Art. 165 of the Constitution as signed in August, recognises the Workmen's Councils without representation of the employers, though they have to associate themselves with employers' representatives in order to discharge their constitutional functions. Thus associated they can intervene in social and economic legislation through a Central Economic Council. But it was clear that neither this nor any other concession likely to be made by the Assembly

would satisfy the workmen. A bi-cameral system might have done so, but this the Coalition Government could never have imposed on its Centrum and middle-class supporters.

The best chance of arriving at a compromise between Parliamentary and Council government was through the Congress of Councils which at last met in Berlin in May.

This Congress had also another function of the first importance. It afforded the only gauge available as to the velocity and volume of the revolutionary revival. The Assembly at Weimar was in this, as in most respects, useless. The Press was so coloured by class and party feeling as to be quite unreliable. While owing to general disorganisation of the country and the disintegrated nature of the revolutionary movement the leaders of it themselves did not know what their forces were. All that was known was that there had been a steady defection from the Majority Socialists supporting the Government and the Parliamentary system to the Independents, in opposition, who advocated a combination of Parliament and Councils; and from the Independents to the Communists, who were for "all power to the Councils."

So steady had this leftward flow been that probably the Congress, if left to itself, would have

reflected it by coming together with a majority for the Opposition. It would then have been able to begin at once its function of elaborating a suitable compromise between Parliament and Councils. For it is to be assumed that the Communists and the right Majoritarians would have been each in a small minority, with an absolute majority for delegates representing the Independent position. That this was, at the time, the prevalent opinion in the movement is suggested by the delegates from German-Austria associating themselves with the Independents.

However, partly for the better preservation of party, power, and place, partly from the pressure of constant "officious" admonitions from us that peace would only be made with a parliamentary government, the German Government did their best to falsify the character of the Congress and get as many Majority Socialists into it as possible by hook or crook. The hook used was a new electoral arrangement prepared by the Central Council which most of the great towns rejected. In some, as in Breslau, the delegates first elected were recalled, and real workmen's representatives substituted. And when the Government found its lost sheep weren't coming home, like Bo-peep, it took its little crook, determined for to find them; and found them indeed, but with the

historical result. For if by hook and by crook you make workmen's delegates of country lawyers or country magistrates you cannot expect them to bring much of a working-class tail behind them.' So when the Council came together it was distinctly rather parliamentarian than proletarian in its character. But if the Government's object was to cripple and control the Congress it failed. Because the first result of their gerrymandering was that the Communists refused to take part, thereby greatly facilitating the subsequent *rapprochement* between the two Socialist factions, the Majority and the Independents.

The Congress, when it met, was found to consist of 130 Majority Socialists, 64 Independents, 20 soldiers' representatives, and about 80 miscellaneous and absent; and of these quite a large number were not working men at all. But all the same the difference between the atmosphere of Parliamentary and Council government at once appeared when it got to work. For this much gerrymandered and very jerry-built Congress showed itself capable of adapting itself to pressures in a way that the National Assembly could not. It showed itself to be a real deliberative body, capable of coming rapidly to a joint decision radically different from the

several views subscribed by its individual members before its meeting. In other words, the Congress had vitality enough to make its constituents real representatives instead of merely instructed delegates. Its response to the general trend of opinion to the Left and against "Government by the Frei-Corps" was shown by its first vote which, by 199 to 81 called for the release of Ledebour, an Independent "intellectual" imprisoned for alleged complicity in the January disorders. This was followed by a vote of congratulation to Hungary; while a similar congratulation to Bavaria, where a "Council Republic" had just been proclaimed, was very properly postponed as prejudging the whole question of Council government that was before the Congress.

The first days were passed in general debate, during which much negotiation between section leaders and a general alignment of forces were going on in the lobbies. A fictitious interest was given to this work of "realising the revolution", by the Congress having met in the Herren-Haus, the old Prussian House of Lords, the shrine of reaction. It was piquant to see a fervent Majority Socialist and a fiery Independent discussing whether Parliament and universal suffrage were not irretrievably reactionary, under the cold marble nose of a Prussian Princelet who had

looked on them as the ultimate Chaos and Dark Night of Revolution. But as will be seen, the *genius loci*, won in the latter end.

The Congress took some days in making up its mind what line to take. The Majority leaders did not know which way to turn, associating themselves when they could with attacks on the Government, and when they could not, apologising. For though the Independents on one side and the small Democratic section on the other were disciplined bodies, the Majoritarian bloc was disorganised. When it came to a vote they obeyed the whip, but many slipped out, and the vote was very different from what was expected.

The Government's advisers in politics and in the Press, finding that so far from bringing over the Independents to the Government the Congress was fast drawing the Majority into opposition, strongly recommended the Government to close the Congress on the ground that it was only wasting time in futile and inflammatory agitation. The Independents countered this by forcing an immediate issue on the main question—the constitutional recognition of the Council system.

The opening of the discussion showed that a majority of the Congress favoured a combination of Parliament and Councils in which the latter

should have political as well as economic functions. Whether the Majoritarian leaders in the Congress were genuinely convinced of the necessity of giving the Council system recognition or whether they were forced to compromise in order to retain command of their followers, and through them control their following among the workmen, I do not know. Anyway, after a series of speeches, in which the Majoritarian leaders, Kalinsky and Cohn-Reuss, vied in concessions, a compromise was put forward that represented practically the position held by their opponents the Independents a few weeks before. The compromise between the Parliamentary system and Council system they proposed was probably workable; though arrived at from an unsound position—that of regarding the Central Council as a controlling authority over the National Assembly; whereas it would really be supplying the driving power and the Assembly the brake.

Now, although the Independents, for the same tactical reasons that had driven the Majoritarians to the Left, were now proclaiming the principle of "all power to the Councils" (which had been until then the position of the absent Communists) they were rather embarrassed at finding themselves "Bolshevists," explicitly demanding the dictatorship of the proletariat.

The spring running of German politics to the Left had been so headlong that the parliamentarian leaders of the Left had had to sprint hard to keep ahead of their followers. But if they had kept one eye anxiously gauging the pace of the avalanche surging at their heels they had kept the other guessing no less anxiously at the position of the abyss of "Bolshevism" ahead. And small wonder if they were a little bewildered and out of breath. For as late as December they had been still accepting the Assembly as the sole executant of the revolution, and looking on the Councils as practically extinct and politically eccentric. By January they had been forced to accept the Councils as a fact that had to be fitted in somehow. In February their periodicals were full of schemes for giving economic powers to the Councils, while reserving all political power, national and provincial, to the Assemblies. By March they had recognised that they must have political power as well and by April they had reached the compromise of a bi-cameral constitution now adopted by their conservative opponents, the Majoritarians. And now, in order to clear the leftward road for the Majoritarians and keep pace with the Communists, old parliamentary hands, like Haase, Oscar Cohn and Breitscheidt, found themselves condemning their

newly born and much beloved parliamentary democracy to be smothered in its cradle for the benefit of a Bolshevist changeling. No wonder they were ready to join forces with their Socialist comrades of the majority in a compromise which found a place for their firstborn the Weimar Parliament and for their familiar world of party politics.

Thus the Socialist parties, still hopelessly divided in that cold storage of faction, the Weimar Assembly, had been re-fused and re-moulded by the volcanic fires of the Congress.

One Sunday afternoon, after the Congress had been a week at work, I heard that the leaders of these two sections had that morning privately agreed to reconstitute the Central Council on a principle of parity, *i.e.*, twelve Majoritarians and twelve Independents, with a few Democrats and soldiers.

This private agreement, unreported until after it had been repudiated, was a political event of an importance second only to the revolution itself. It reunited the Socialist party on a platform of realising the revolution through the Council system by constitutional action. The Congress of Councils, for whose dissolution the whole Press were clamouring openly and every secret sinister influence was conspiring, had in six days

gone further towards the reconstruction and re-orientation of Germany than Weimar had in six months.

But one obvious result of this new alliance between Majoritarians and Independents in the Council system would have been the jettisoning of Majoritarian Ministers, such as Noske, Landsberg and Scheidemann, compromised by their complicity with reaction and the brutalities of the Frei-Corps. It was therefore not surprising that the full force of party pressure and of administrative authority was brought to bear on the Majoritarian parties to the agreement. Under this pressure, like good citizens and genuine Germans, they buckled up and broke down, repudiating the principle of parity. They offered instead a proportion of fourteen Majoritarians to ten Independents in the Central Council or a representation corresponding to the numerical proportion of parties in the gerrymandered Congress. These offers were refused, the Congress came to an end, and the pusillanimity and place-hunting of parliamentary politicians had ruined the revolution a second time. The first was when the Independents, under pressure from the Left, withdrew from the Coalition with the Majoritarians in December. The second was when the Majoritarians, under pressure from the

Right, now in their turn withdrew from the reconstituted Coalition in May.

The Council was reconstituted with Majoritarians, and the Independents were thrown back upon the Communists and "direct action." The only course then left to the adherents of the Council movement was to perfect their organisations and wait until parliamentary government was overthrown, either by reaction or revolution. The first essential for such organisation was a general electoral system which would put the Councils on a regular basis and prevent such interference and intrigues as had preceded the previous Congress. The last meeting that I attended of the Plenary Assembly of Berlin Councils, the driving body of the movement, was occupied with discussing the crucial question as to who should be considered a workman and qualified to vote and stand for a Council. It was there tentatively agreed that a workman might have a few assistants without becoming an employer, and that scientists, experts, and such like connected with an industry, other than managers, directors and such, might count as workmen. On the other hand the Assembly had to adjourn for a time in disorder owing to protests against the presence of a police official as a delegate of the Democrats. It was clearly

going to be difficult to express in terms of an electoral law a disability obvious enough in each individual case. The German workmen were ready to admit to equality anyone with any industrial productive-status, who was not in the service of declared enemies of the Councils—such as the captains of industry or the Coalition Government. And so important is this suffrage question as a gauge of the liberality of the Council movement in Germany and of its distinction from Bolshevism, that I append as a footnote the regulation of the Berlin Executive Council, published previous to the Convention of the second Congress of Councils.[1]

[1] The re-organisation and reconstruction of our political and economic existence calls for the co-operation of the whole effective population. The revolution has given us the means of such reconstruction in the Council system. In order to give the Council system its full development and a better foundation, fresh elections to the Workmen's Councils are indispensable.

1. All hand and head workers over 10 years without distinction of sex who earn their living by labour of public utility without exploiting the labour of others are entitled to vote. Are also entitled those who employ a limited number of helpers for their livelihood, as doctors, druggists, writers, jurists, artists, etc.—as also small industrials and craftsmen who do not employ others.

2. Are excluded from voting those owners of means of production who use them to their own advantage and always through the labour of others. Also those who rent a private-capitalist industry or institutions worked by the labour of others. Also those who live from ground rents or interest as also those like Directors, etc., paid in percentage fees.

3. Elections to Workmen's Councils are by proportional

This work of making the Council system really representative has been much hampered of late by the growing reaction which is still trying to break the neck of the movement by arresting its leaders, and impeding its development in every way. At the same time, schemes are being continually put forward by the less reactionary elements for drawing the teeth of the movement by "diddling" concessions. Among such may be counted the clauses "anchoring" the Councils in the Constitution. The word itself shows how rapidly the German politicians are picking up the devices of parliamentary democracy. Again and again, on the platform and in the Press, the workmen are assured that all is well with the Councils because they are "anchored" in the Constitution. What the workmen want is not to see them "anchored" so much as under way; but it is creditable diddling is that catchword, "anchored in the Constitution." And another

representation and by professions or industries. Great industries form distinct electoral bodies while medium and small industries will be associated. Professions and professional groups that do not work with other employés within a particular industry will form professional electoral bodies; employés in domestic service, housewives, unemployed and invalids will be provided for in special regulations.

Further instructions as to the electoral regulations and procedure will be issued shortly.

The Executive Council,
RICHARD MÜLLER,
FRITZ PRÖLAT.

diddling device is the electoral law advocated by the Majoritarians that the Government are trying to impose on the Councils, which would penetrate the movement with propertied interests and partition it up into regional areas.

Of late, indeed, the Council movement proper—the revolutionary movement—has been almost driven underground. The Central office of the Berlin Executive Council has been repeatedly raided, its leaders are continually being arrested, and its meetings broken up. At a conference of the Industrial Councils of Germany recently held (August 26th, 1919) at Halle from which all Majoritarians were excluded, the general tone was pessimistic. It was recognised that the German workman was not as a whole revolutionary in sentiment, that the mass movement to the Left that had marked the first months of reaction had to some extent been checked and that the Government policy of compromising with the Council movement had had some measure of success. No agreement could be reached at this conference, even on such primary questions of policy as to whether the Government proposals should be considered or whether the Trades Unions should be co-operated with. Finally, centres of the revolutionary movement were established at Halle and Leipzig.

From this it would seem that the revolutionary Council movement is just at present passing through a phase of depression due to the Government's diplomatic policy.

It will be seen that so far the German Councils are no political system, but only a surge of spontaneous self-government. If they can be really co-ordinated with the new political machinery, and if they can be concentrated on the economic reconstruction of Germany, it may be the salvation, not only of Germany but of Europe. For, though the years of war have accustomed us to looking on Germans as barbarians and better dead than alive, as a matter of fact this unattractive people is still, as it always has been, the sturdiest and steadiest of the workers of the world; and Germany is still the centre of gravity of the European social system. There can be no stability in Europe if the Germans are on strike. The consequences of driving the Russians into extremes are before us now in the worst menace to the existing social order since the peasants' rising of the Middle Ages. It will take much pressure to drive the German revolution into extremes, but if Germany once develops a real Bolshevism of its own, it will not be long before the rest of the Continent follows its example.

It is a national characteristic of us English to

fight new ideas and institutions in principle abroad, while, in practice, we introduce them at home under different names. This has worked well on the whole. While reaction is occupied with damning and downing the novelty as an absurdity and atrocity introduced by the brutal and barbarous foreigner, *real-politik* finds that the same novelty, under some new name, helps production at home. Thus, while we fight the *Soviets* with military expeditions and poison gas, and the milder *Räte-Republics* of Germany with military missions and diplomatic notes, we work away at our Guild Socialism and our Shop Stewards' Committees, extend Whitley Councils to the Civil Service and Welfare Committees to the Navy, and even admit employés to joint control of our railways.

There is an English revolution not only impending, but in progress, and those to whom revolution means barricades and "Bolshevism" will be relieved to hear that the course of events, both in Germany and Russia, suggests that our British revolution is so well advanced that these stimulants of a revolution, that has stiffened and stagnated, will not be required. England, not being wholly, at all events for long, run by London clubs and political cliques, manages to achieve its political revolution by way of economic

reconstruction, and it is doing this on the same principles as Germany, though by a different procedure. That is why it was as foolish for the British to try to upset the Council movement of the Berliners as it was for the Berliners to upset it among the Brunswickers and Bavarians.

Moreover, if the Councils can still be killed, the Germans themselves will eventually kill them by diddling concessions or by diplomatic compromises. For such compromises as those already put forward in Germany show a fatal ignorance of, or indifference to, the fundamental facts of this revolutionary movement. I much doubt whether the German revolutionary workmen and their political leaders, whether Independent or Communist, can ever be got to accept the Labour Chamber (*Arbeitskammer*) with its parity of representation between employers and employed; at all events, until the employer is represented by the State. And such "nationalisation" is only valued by the German workman as a preliminary to "socialisation." The workers are attached to the Council idea largely because it attacks the capitalist, and gives the workmen protection against him in a way the Union cannot. If the Councils are to be widened into a democracy including all classes, the power of private capital must first be broken or brought in bounds.

So desperate is the economic condition of the country that even the Employers' Associations of Berlin have declared in favour of a large measure of Council government. But this is an exception. The German ruling class, and their middle-class supporters, recognise that their class supremacy is challenged. They retort by attacking Council government as class government and, consequently, as undemocratic. The issue is represented as being between a Parliamentary democracy, as in England, and a Soviet despotism, as in Russia. It seems worth while, therefore, to the German ruling class to fight the revolution with its own weapon of violence, rather than face the risks of Council government; and this same view would doubtless be taken in England if the question of principle were raised. In the recent railway strike our Government, by appealing for national support against a leading section of Labour, did, in fact, go far to create a class war.

But, as a matter of fact, the demand for a dictatorship by the proletariat is not an essential element in the Council movement. Such a demand is not the cause, but the consequence, of class conflict. Essentially and fundamentally the Council movement, so far from being less democratic than our Parliamentary system, is a

revolt back to the purest and most primitive democracy from the artificialities and anomalies of modern Parliamentary representation. It is no more undemocratic than the Renaissance was inartistic, the Reformation unchristian, or the French Revolution anarchical. As the German Revolution best shows, the growth of Councils is the result of a revolutionary impulse in a modern community. Such an impulse uses any form of association between men and women for the urgent political purpose of appointing a spokesman and leader. The most widely spread and deeply rooted association nowadays is industrial—in the workshop. Consequently, we find the Councils taking predominantly an industrial character and origin, as in our native embryo the Shop Stewards' Committee. But any association will serve; and so, in the German Revolution, besides the Workmen's Councils there were Soldiers' Councils, Communal Councils, and even Unemployed Councils. If this new system were to develop, so to say, in a vacuum, without opposition, it would theoretically provide a democratic representation for every human relationship. As it is, such representation is reduced, as in Germany, by political pressure, to association that is rooted in the most vital relationship; and we find the Unemployed Councils, Communal

Councils, and even Soldiers' Councils being choked off, and only the Workmen's Councils surviving. This is why the practical process in Germany is, as said before, leading to the same conclusions as those come to by the *a priori* reasoning of our own Guild Socialists when they divide the citizen into consumer and producer, and, in his latter capacity, give him representation through a Council system. I found, in fact, that my most useful function in Germany at one time was putting German Labour leaders in possession of the conclusions of our Guild Socialists.

Nor, when we come to examine constitutional history, is there any real difference between the democracy of the Council system and the democracy of Parliament. They are the same in origin and will probably be the same in development. For Parliament, it must be remembered, grew out of a Council with an industrial suffrage —land tenure—which was later reinforced by a general industrial suffrage through the Boroughs and their Guild organisations. But, for the first two centuries of its existence, say 1100 to 1295, Parliament, the National Council of our Angevin Kings, was a *Soviet*, a *Betriebsrat*. It was to this body that we owe our Magna Charta of 1215, the foundation of our democracy. And, in the

fourteenth clause of the Great Charter, the clause constituting Parliament, we read that the summons was to be sent direct to the Archbishops and Bishops, Earls and Greater Barons, and, through the Sheriff, to all those "who hold of us in chief." It was this latter body of tenants of the Crown that became the Knights of the Shire in our House of Commons. The Knights of the Shire represented the landed industrial interest as directly as the representatives of the Boroughs represented other forms of industry and commerce. Of course, later, the regional and representative system gradually overlaid and obscured the original industrial basis, much as it has done with the Council system in Russia and is doing in Germany.

The Council system in Germany has, in three months, indeed, covered the course that took our Parliamentary system three centuries. This corresponds roughly to the increased pace of political development to-day. If we were to translate the Council movement of to-day into the terms of the Parliamentary movement of seven centuries ago, we might say that, before our present democracy could begin, industry had to be nominally socialised by the principle that all land was held of the King, and a strong central government established on a popular basis of

industrial councils, with equal representation for the two other estates, the feudal or military and the clerical or official. For we can see the progenitors of the Soldiers' Councils of to-day in the feudal courts of yesterday, and of the Civil Service bureaucracy of to-day in the chancellors and justiciars of yesterday. Thus we may, if we like, see in the short history of the Russian Council movement an epitome of our whole constitutional history. Or, we may compare the present Council movement in England with the political situation early in the thirteenth century, when the Greater Barons, progenitors of our Captains of Industry, were about to force clause 14 of Magna Charta and a National Whitley Council on a Civil Service of arrogant ascetics, who were vainly trying to retain power for a silly and selfish ruling class. In applying this analogy to the present day, the Parliament of to-day would be no more than a survival of a previous constitutional epoch, a Witanagemot applying Anglo-Saxon Dooms. And this will, any way, give an idea of the way parliaments are looked upon to-day by German workmen. Possibly, in the end, the representative and regional system will rule the roost again, and will force the industrial suffrage upstairs into a House of Lords that will, in time, exercise mainly the

judicial functions peculiar to its original industrial character. But we have first to get our Magna Charta and our Statutes of Westminster.

That the Council system of to-day is a truer democracy than existing Parliamentary systems is also shown practically by its being a much surer and safer machine for the realisation of public opinion. Theoretically, the pyramidal piling up of Councils, each represented in a superior Council, until a Central Council caps the pile, would seem to be indirect election raised to infinity; and indirect election is theoretically undemocratic. But this was not the conclusion forced on one in Germany when one compared the working of the two systems. The inferiority in the position of politicians, owing their power to the Parliamentary system, compared with that of those based on the Council system, was very striking. The Parliamentarians never knew where they were or what was what. Out of touch, necessarily, with their enormous constituencies, they seemed to be always crawling about with their ears to the ground, dependent on agents and reporters of every sort, even on the Press, for an idea of what was going on. As they never knew where the hounds were, they could not use such knowledge of the country as they had to lead the field. The leaders of the Council

movement, on the other hand, had an immediate indication of every trend of opinion in the changing composition of the lower strata of Councils; and their difficulty was rather to control the energies that came pouring up to them through the system. The Parliamentary leader seemed like a water finder, wandering about and waiting for the twig to twiddle, while the Council leader was more like a marine engineer with his eye on the pressure gauge and his hand on the lever. Perhaps indirect election is only undemocratic when the function of the lower body is mainly to elect to a higher, but becomes democratic when it has vital functions of its own that are merely controlled by the higher body.

And yet another point and a paradox. Whereas the results of Council representation of opinion in Germany are not revolutionary, the results of the Parliamentary system are becoming more and more so, and not only in Germany but in Great Britain. The failure of the Parliamentary system to express the forces making for change—a failure not confined to Germany—and the fictitious relationship between the elector and the elected has two results. It diverts a large part of these forces of progress into various forms of direct action, all of them revolutionary, whether actively so, such as street fighting, or passively so, such

as strikes. It also gives a revolutionary character to the periodical elections. For the vast constituencies vote merely along the line of the least common multiple of their mob minds. This line is generally a vague dissatisfaction; and unless it be diverted by "stunts" or otherwise diddled, will result in violent pendulum swings. Under these impulses Parliament will become still less representative, and will tend to be either revolutionary or reactionary. For an exaggerated majority is the extremists' opportunity.

The Council movement, on the other hand, slowly changing from below upwards, should never drop much behind the drift of opinion, and consequently should be in little danger of being driven ahead of it. The German Parliament, as the results of an election decided by this L.C.M. motive of the mob mind—a motive of assuring power to whichever party seemed to offer the best prospect of peace abroad and at home—is to-day reactionary. Whereas the political condition of Germany to-day is such that it absolutely must have a Government responsive to the requirements of reconstruction, or relapse into civil war. The Weimar Parliament is so dead that only civil war can galvanise it to action. If reinforced by a Council system, the Weimar Party Government and the Preuss Federal

Constitution would perhaps have steam enough to work.

The Councils are as essential to Germany to-day as the Commons were to us a century ago. Indeed, our insistence on the supremacy of the Weimar Assembly as a guarantee for the maintenance of peace, can be paralleled by our insistence a century ago on the maintenance of Upper Houses in the constitutions of the States revolutionised from France. The function of the territorially elected Parliament will, in Germany, and probably everywhere, become more and more that of an Upper House; while the industrially elected Congress will be the creative and constructive institution. The whole difficulty lies in finding a working compromise, or rather co-operation. Just as Feudalism imposed its political system which survives in the House of Lords, just as Liberalism imposed its system as represented in the House of Commons, which now obviously requires supplementing, so Socialism must have its political system in the Councils. This is not revolution but evolution. The revolution comes from thwarting and threatening it.

CHAPTER VI

THE TREATY OF VERSAILLES

COMING back from Germany to Great Britain one finds oneself in the position of an explorer returned from a new world. For our Edwardian England knows to-day as little of the real conditions in Central Europe as Elizabethan England knew of Central Africa. And our Press cartoonists and Propaganda caricaturists have filled the blank spaces of our mental maps with fancy pictures of monsters whom they label Boches and Bolsheviks, Huns and Spartacists, just as did the old cartographers. Whereas these fancy pictures are no more like the real wild beasts of Europe than the Unicorns and Behemoths of the old maps were like the rhinoceroses and hippopotamuses of Africa; and anyway are about as important an element in the problems of Central Europe to-day as the hippopotamuses are in those of Central Africa.

The difficulty is that our natural intuitions of

policy and our natural instincts of humanity have been for five years persistently perverted and distorted. We do not know that we are seeing everything as in a glass darkly, and that we are being prevented from coming face to face with real facts and forces. That is why in this summer of 1919, as in that summer of five years ago, appeals to our conscience and common sense are useless. We are letting ourselves be hurried hopelessly and helplessly into the worst of peaces, as we then let ourselves be hurried into the worst of wars. But with this difference; that five years ago the principal criminals were the Junkers and War Lords of Germany; to-day they are the Jingoes and Peace Delegates of the Entente. The Germans have paid, or are paying, the penalty of trusting their War Lords; both those Germans who passively submitted to that folly and those who actively protested against it. We, too, shall all have to pay for putting our trust in our Princes of the Peace. We are paying—many of my old corps have already paid with their lives—for the mistakes of our diplomatists with the Russian Revolution. We shall pay for their mistakes with the German Revolution when we too come face to face with realities again.

For that is the main difference between the

Germans and ourselves to-day. They have been reduced to realities. The artificialities of their shoddy Kaiser and their shallow Kultur have fallen in ruins round them. The monstrous military machine they built up for their own protection, and used for the oppression of Europe, is smashed. There remains just the German burgher and the German worker, both slow-witted simple souls. So slow and simple indeed, that they have allowed a few hundred German bureaucrats to go on governing them; thereby giving us a wrong impression of what they are thinking and wanting. In reality the Germans to-day are like the Russians of two years ago, a molten mass awaiting a new mould, ready to be inspired by such new political ideas as may be instilled into them. In Germany now a new idea will take root, flower and bear fruit in a few days. I have watched the process myself with ideas imported from England. But instead of throwing open the western frontier of Germany to free commerce and communication we maintained our blockade and our boycott, thereby forcing New Germany to turn to the East for its ideals and institutions. And now comes this Treaty with a further development of this same policy of blockade and boycott. Germany is for a generation or so to be sentenced to loss of its sovereign rights, con-

fiscation of its whole estate and penal servitude. We have overlooked the opportunity we had of making Germany a moral dependency, a natural ally looking at the world from our political point of view, absorbing our ideas and associating itself with our ideals; and we have abused the opening given us by unlimited military power in order to attempt the material exploitation of Germany. We might have made Germany a racial and regional border province of Anglo-Saxondom, and a barrier against the Asiatic irruption that is once again advancing against Europe across the Russian plains. We have preferred to try and reduce it to another Ireland—an Ireland of seventy millions with Russia at its back. I am reminded of the remark of a German politician: "Give us an open door and we shall be no worse than poor relations; build a Chinese wall against us and you will make us into Tartars."

An adequate criticism of the Treaty that we are proposing to force on Germany would be as long as the Treaty itself. There are two main difficulties in such criticism; one is that, owing to the secret preparation of the Treaty and the public indifference as to its provisions, very few people in England have any idea even of what the financial and economic clauses amount to. German protests are ignored, of course, as mere

"squealing." We have a general feeling that what is bad for the Germans is good for the world; and, anyway, we don't want to be bothered with Germany any more.

The other difficulty is the Treaty's formlessness and its want of design. A careful comparison of the articles and their appendices suggests that the essential policy of the whole is a compromise between, or rather a cobbling together of, two contradictory points of view, the French and the Anglo-Saxon; while in its externals it is an attempt to camouflage European Imperialism with American Idealism.

In the Jehad we have just fought against Germany, the low material object of the French was to extirpate; while that of the English was rather to enslave. The high moral object of the French was to rescue Alsace-Lorraine; the high moral object of the English was to protect Belgium. Consequently, reading the Treaty is something like reading the Koran. The mind cannot get the point of view or purpose. It loses itself in dicta, as determinative in detail for the weal or woe of mankind as they are disconnected in themselves and dissociated from any general doctrine, or even from any especial dogma. One soon gives up trying to grasp the Treaty. And one puts it aside with the consoling

thought that "the Koran or the Sword" is good enough for those who, like the Huns, are not "people of the Law"; and that everything depends on the "idjra," the "interpretative effort" of future pundits.

There is something tragic about such petty killings and cruelties as those ordained by the sinister reactionaries of the Eden Hotel in Berlin. But there is something ludicrous about the miseries and murders *en masse* organised by the highly respectable reactionaries of the Hotel Majestic. It is as though we :—

> had resolved to extirpate the vipers
> With twenty Balliol men and forty lady typers.

On the morning of that Thursday in May, the German reading public took up its morning paper with a sigh of relief that the long suspense was ended—and dropped it again with a gasp of despair. But Germany wore its rue with a difference. The opposition to the Treaty was of two kinds. The original split of the Independent idealists with the Majoritarian real-politikers had been over foreign policy—first in the prosecution of the war, then in the preparation for peace. These Independents condemned such crimes as the U-boat war and the military murders of Miss Cavell and Captain Fryatt, uncompromisingly. Their main reason for leav-

ing the Coalition Socialist Government in December was that they could not get their liberal policy carried in respect either of Poland and the Baltic provinces, or as to a frank recognition of responsibility for the war and full reparation to France and Belgium.

Their main objection to the present Government had been that it prejudiced the German political revolution and spiritual renascence in the eyes of the Entente. And they now, as representing the main forces of idealism in Germany, opposed the peace terms on international not on national grounds—as a conspiracy against the peace and prosperity of the European worker, not as a combination against the power and progress of the German Empire. Consequently, as the main body of the workers, that is, the driving power of the country, were of this party and had moreover been forced out of practical politics by the reaction party, when the terms were published there was no spontaneous explosion of emotion in Germany. Crushing as they were, there was no moral force to oppose against them; either national, as a century before in revolutionary France, or international, as a year before in revolutionary Russia.

The whole tone of private conversations and of Press *communiqués* on Thursday and Friday

showed that the Government with individual exceptions, would sign the terms. And further the whole tradition of the Majority-Socialist and of the Centrum rank and file suggested that they would in this follow the lead of the Government and give it a parliamentary majority. Indeed, such passive acquiescence reflected accurately enough the prevalent point of view in a disorganised and devitalised community.

Late on that Friday night, judging from an account given me of the proceedings in the Cabinet and from general considerations, I telegraphed that Germany would sign even such conditions as those published.[1]

But where all is negative and minus, a very small positive and plus factor can make itself predominant. The Democratic party represented politically such nationalist idealism as was left. Theodor Wolff, in the *Berliner Tageblatt*, started a campaign for non-signature, at first only with the compromising support of the extreme Right. Within a few hours the feeble

[1] This telegram had, I believe, a curious backlash, rather illustrative of the times in Germany. A countess with political ambitions, who had set up an Independent salon, had had that Friday her usual "evening," at which I had looked in for a few minutes. On Monday she was arrested and banished to a provincial townlet for supplying false information to a foreign correspondent. Needless to say, one did not need a countess to tell one that Germany would sign in its collapsed condition.

Government and half-famished capital came under pressure from two points—Paris and the provinces.

The German delegation to Paris had been made very representative in order to strengthen the Government in eventually imposing unacceptable terms on various interests; but the effect of their week's wait in their wired pen at Fontainebleau seems to have been to give them all an incipient attack of "barb wire fever." As the guiding brain of the Cabinet, Landsberg had been substituted for David on the delegation owing to personal and political reasons, and as influential Majority Socialists were on it also, this was serious. Opposition to signature appeared in the Cabinet; and the leading article in Sunday's *Vorwärts* by Stampfer, the editor, who had gone to Paris hoping to meet his French *confrères* indicated that the Majority Socialists were also dividing on the question of signature.

Accordingly the Democratic parliamentary party having declared unanimously against signature, the Centrum and Majority Socialists followed suit with large majorities—only five in the latter party voting for signature. The Government Press then began to challenge the Independents to make good their professed policy; with the intention of forcing them to

form a Government which would take the odium of signing. The Independent leaders were approached on these lines.

The Independents found themselves in a difficulty. At first they were inclined to accept, but realised in time that if they did so they would be utterly prejudiced both politically and popularly. Moreover, their Left wing and the Communists would not join any Government on a Parliamentary basis; while the Majority Socialists would probably help the Right in throwing them out again on a nationalist reaction as soon as they had signed. They accordingly decided to declare for signature, but to refuse to relieve the Government from the responsibility for its own policy.

The parliamentary situation accordingly developed by Monday into the usual deadlock. But in Germany the parliamentary situation represents, even less than elsewhere, the realities of life. The meeting of the Assembly on Monday, which was to be a national demonstration, was a failure both in staging and in steam. Held in the University aula, under the great fresco of Fichte rallying the German youth to its resurrection after the peace of Tilsit, it only served to accentuate the difference between the nationalist idealism that rebuilt Germany in the last century and the internationalist idealism

that may rebuild it now. For, in this Assembly of more or less compromised and wholly commonplace elderly politicians there was nothing vital or novel. The set speeches had mostly been written by propaganda officials and the very applause had been planned beforehand.

On the following day were open-air meetings, which gave a better index of public opinion. Of the two I saw, the first was a big Majority Socialist gathering, addressed by Fischer on the Koenigsplatz in a speech curiously like Scheidemann's. Thence a crowd that, if small, was select, one might say "super" select, demonstrated before the Hotel Adlon, the centre of the foreign correspondents and Missions, until dispersed by a rather dilatory detachment. But the foreign correspondents of course responded to these efforts for their entertainment and enlightenment with sensational "stories" of "Scenes in Berlin."

The conclusion I came to was that those German working men who were still under trade unionist and party leaders, would, with the middle class, follow the Government lead in this, as in anything else.

The other meeting, in a remote workmen's quarter, was addressed by the Independent Breitscheidt, whose every point was punctuated

by guttural growls from half-starved workmen and women. The recital of Germany's renunciations and restrictions under the Treaty was listened to in silence; but the conclusion that the old *régime*, if victorious, would have done this and worse was received with an emphatic "sehr richtig" (quite true). The interruptions from two middle-class youths near me, to the effect that an Englishman or Frenchman saying what Breitscheidt had said in London or Paris would have to run for his life—true enough too—were badly received. "Fat cheeks," screamed a haggard woman, pointing out that the young men were chubby. "Frei-Corps puppies," shouted a workman, giving the explanation of their being well fed. And it would have gone hard with them if the Independent leaders had not intervened to get them clear. The speaker's conclusions that the peace must be signed at once, that it must be signed by those responsible for it, and that thereafter there would be an "Independent" Government, was received with a diminuendo of assent. The poorer and less political German workman wanted peace, but had no will to power.

There was indeed no fight left in Germany; though I doubt if anyone in England realises how near the conditions imposed by Paris went to provoking a desperate appeal to arms. When it

became evident that no mitigation of importance was to be got, every member of the Government of any character, whether reactionary or radical, resigned; leaving only men like Landsberg and Erzberger. While the revolutionary opposition persisted in their refusal to take the responsibility of signing. When it became obvious that this "Rump" was prepared to sign, and that the Weimar, Assembly would support it in doing so, a military conspiracy was organised to prevent signature by a *coup d'état*. Weimar, the week before signature, filled with generals, and small bodies of Frei-Corps threatened the complaisant Cabinet. But obviously the coercion of Weimar into refusing signature was not enough, and would only have resulted in a second revolution rather than a reaction. The main operation was to have been a march south to Berlin and Weimar, of the Army of the East in West Prussia. But, at the last moment, these Frei-Corps refused to move. The better elements of them had volunteered to defend the frontiers against Poles and Russians, not to overthrow the National Assembly at the orders of reactionary generals. The worse elements were ready to fight their own countrymen, the revolutionaries, given a superiority of ten to one; but had no stomach for a last ditch defence against the

Entente with the odds reversed. So Landsberg and Erzberger, the Jew and the Jesuit, by extraordinary and characteristic exertions, secured signature by a Cabinet of nonentities under the burly and worthy Trades Union boss, Bauer.

I do not propose to criticise the different provisions of the Treaty of Versailles or show in detail where they are unjust and why they are unsound. But it may be of use to report the effect that certain of these provisions have had in Germany and will have in Europe; and to represent how the force on which this treaty depends for its execution—the static force of an enormous Entente preponderance in the Balance of Power, comes into collision with the forces at work in Europe—the dynamic forces of the industrial revolution that are at present more active in Germany than anywhere else.

First, then, as to its injustice and the effect this is having in Germany. There are three main foci of public opinion in Germany as in every country: Right, Centre and Left: Conservative, Liberal and Radical: Upper Middle and Lower: Privilege, Property and Proletariat; or, however else you may chose to denote the eternal political triangle. The Treaty deals each of these two blows; one blow slashes off its right hand and the other slaps it in the face. And it is the insult and not

the injury that will most affect the future of Europe.

Let us take the Conservative idealists first—the Prussian landowner, the Berlin official, the Bavarian cleric, the officer, and the student. The surrender of West Prussia and Danzig to Poland, and the severance of East Prussia for its future inclusion in a Baltic Federation, mean the loss of its right arm to this ruling class. An idea of how it appears to them can be given, perhaps, by supposing that we had lost the war, that Germany had set up Ireland and Scotland as separate States, had annexed Wales to Ireland on racial grounds, had included therein Shropshire and Cheshire with their ancient county families, and had made a corridor across Wessex to Weymouth, cutting off Somerset and Devon, while Cornwall went to a new State of Brittany. I do not mean, of course, that this would be exactly similar, but that the blow to the sensibilities of our patriots would be as severe. Should we not have a halo cast about the Victorian, the Elizabethan, the Alfredian and the Arthurian legends that would make the lost provinces a Holy Land to be redeemed at any sacrifice? Fortunately Germans are not like English in this and the territorial settlement may last our time, though it will lead to unintended results. The gloomy comment to

me of a Polish conservative on the Danzig settlement was that in two generations Poland would be Jew-German. The even more gloomy view of a Russian radical was that, unless Bolshevism made good, the whole middle belt of Baltic States, with Poland, Lithuania, and the Ukraine, would fall under German bourgeois influence. While, most pessimistic of all, a cosmopolitan Jew considered that the result of breaking up Austria and barring off Germany must be to Balkanise Central and Eastern Europe first, and to Bolshevise it afterwards. All one can say, is, that where such revolutionary forces are loosened as are now at large in Central Europe, German nationalism offered us a stronger line to hold than that of Lithuanian or Ukrainian or even Polish independence.

And we might have held both lines, but for that slap in the face. The time I spent in Germany after the publication of the peace was made painful, not by the Danzig or Saar questions, but by the menace of penal proceedings against individual Germans. If our object was to find something that would impress our hatred and contempt on the Germans we succeeded. Only the most moderate of those with nationalist opinions could speak of it at all: the majority, thereafter, closed their doors to me as an English-

man. If anything could have rehabilitated the Kaiser, we should have done it by putting him at the head of men, like submarine Commanders, who, in German eyes, had done desperate deeds to break a barbarous blockade. Our prosecution in fact outraged both the sense and sensibilities of all German gentlemen as much as the crimes themselves had outraged ours. This may seem fanciful, but it is a fact. If action is taken under these criminal clauses we shall light such a candle to the memories of our dead as will some day set Europe on fire again. Whether we could ever have proceeded by international action to trace the responsibility for military murders, such as those of Miss Cavell and Captain Fryatt, without arousing a national sense of wrong in Germany, no longer matters; we cannot do so now.

Next, as to the effect of the Treaty on the Liberals, the moderates, the men of property. If the ideals of the Conservatives and their interests in land made them nationalist, the ideals of the Liberals and their interests in industry tended to make them imperialist. And the Treaty cuts off Germany from all imperial ideals and cripples it in industry.

The growth of German industry in late years, comparable only to industrial growth in North

America, was due, as with us, to the combination of coal with iron and of first-rate management with foreign markets. The Treaty has deprived Germany, in the east, of the Silesian coalfields with their dependent industries, and, in the west, of the Lorraine and Saar ores; which, together, may be compared to the loss of South Wales and Northumberland. It has also deprived Germany, not only of its colonies, but also of its commercial establishments abroad, so closing foreign markets to it except by way of foreign intermediaries, bankers, brokers and shippers. There is nothing left of German foreign commerce and little left of German industry but a mutilated torso; for it has not only lost its right hand in Lorraine but also its left in Silesia. Yet, what German men of business feel it hardest to forgive is not the injury done by the Treaty but the insult. That camouflaged receivership, the Reparation Commission, prejudges Germany as a fraudulent bankrupt. If we had in the Treaty fixed our claims as creditors and negotiated with Germany as to how they could be paid, the German middle class would have taken a pride in showing itself equal to the enormous emergency even as the French did in the far less searching trial of 1870. But this foreign Commission has been given such powers as have never yet

been proposed for foreign financial control, even of the most wholly bankrupt and barbarous Sovereign State. Those powers will, of course, never be exercised, and they would defeat the object of the financial provisions of the Treaty if they were; but the unnecessary insult they involve has cost us the co-operation of the German middle classes in rebuilding the economic system of Europe.

And, now for the last mistake. The one desire of the lower classes of Germany, whether industrial or agricultural, is for peace and plenty. In condemning them to a continuance of war conditions for nine months after their surrender and revolution we turned them from internationalists, ready to welcome us as representatives of democracy and as crusaders for an international ideal, into either nationalists who looked on us as enemies seeking the destruction of all Germans, or into internationalists who looked on us as enemies of the revolution seeking their destruction as we were seeking that of the Russians. The result has been that we have lost the co-operation of the German working class in extending our system of parliamentary Government to Central and Eastern Europe. And it requires no profound political knowledge of continental conditions to recognise that, without such co-operation, British

political ideas and institutions and with them British political influence will not penetrate Europe.

To this result two actions on our part especially contributed. The first, our opposition to the union of German-Austria with Germany; the second, our refusal to admit Germany to the League of Nations. These were the two meaningless, almost motiveless insults that in my opinion have done us more lasting harm in Europe than such mistakes in practical policy as the maintenance of the blockade. The repudiation, presumably at French dictation, of both the principle of nationality and that of self-determination was bad enough. It was worse to try to buttress an artificial barrier between two sections of the German race by assigning German populations to neighbouring States—Germans of Bohemia to Tchecho-Slovakia—Germans of Karinthia to Yugo-Slavia—Germans of the Tyrol to Italy. This diplomatic device failed even in a far more thorough form in Poland over a century ago. Just as the policy of artificial separation failed in the case of Eastern Roumelia.

But, apart from such moral considerations which must in the long run defeat our policy of segregating Austro-Germans, that policy might have been seen to be impolitic even in its most material and immediate aspects.

The idea of a union of Germany and Austria presented itself to our minds as an aggrandisement of Germany. But if the union of Germany and Austria would have been a concession to the force of German nationality, yet it would have been no reinforcement of German nationalism. Union with German-Austria would indeed have been the best guarantee against Germany's relapse into Prussianism. For the marriage of Prussia and Austria would not be due to affection nor to ambition nor even to advantage, but to affinity. German-Austria might indeed consider herself fortunate in having a relation bound by family ties to take her for better or worse, for richer or poorer, with all her dowry of decrepitude and debt. "Tu felix Austria nube" would have acquired a new meaning.

The phrase, "union of Germany with Austria" might suggest a great extension eastwards of German imperialism over Eastern Europe and Asia Minor. But a glance at the map shows that, whereas previously Germany enjoyed by alliance with Austria political control eastwards to the Carpathians and Balkans and economic control to the Ægean and Black Sea, now Germany is barricaded on the east at its national frontier by strong national States; and by union with German-Austria would receive an extension of its

own national frontier not eastward but southward. The effect of union with Austria would be to add to Germany not another East Prussia or Silesia, but another Baden or Bavaria.

What would be the political consequence of this geographical extension southward? We all know the blood differences between Southerner and Northerner in German politics. The North with a Protestant and Prussian mentality, a bureaucratic and burgher government, an efficient and energetic morale, a land of big business and big battalions; and the south a Catholic and conservative mentality, an easy-going and eclectic morale, a land of fat farms and the fine arts. And war and revolution have only changed without lessening these differences. The new Austrian province in the south would have acted as ballast to steady the rollings of the Ship of State, top-heavy with its northern profiteers and proletariat. Nor would we be right if we assumed from the short-lived Räte-Republik of Munich that Vienna would bring an accession of strength to the Communists. It is the clerical Centrum, Parliamentary Government and Federalism that would have benefited from the Union.

And, not only as a community, but as individuals, Austrians would have a useful political *rôle* in the new German democracy. Some of us

may have noticed how the Bavarians and Rheinländers come to the front in Germany as liberal speakers and writers. The Austrians would have brought a like leaven into the lump of half-baked German civilisation. The Austrian in all the elegancies of life is as superior to the German as he is inferior to him in all life's efficiencies. Finally, they would have served as interpreters and intermediaries between Germans and other races. It is as difficult to dislike an Austrian as to like a Prussian.

As to the material effect of the Union, we find that the total population of the German Republic after union would have been no more than was that of the German Empire before the war. At the beginning of the war the latter was 68 millions. Up to January, 1919, the excess of deaths over births was 700,000, the war casualties 1·8 millions. Losses in Alsace-Lorraine, Posen and Schleswig will reduce this, at least, to 61 millions and probably to below 60 millions. German-Austria cannot bring in more than 9 millions and may bring in as little as 6 millions. So that Germany would about have regained in the south what it has lost in the east, north and west.

Now, as to money. The public debt of Austria, without Hungary, was 83·17 milliard

kronen. This has still to be apportioned among the new national States; but even on the most favourable basis for German-Austria, that of population, it will mean a debt of about 30 milliard kronen with an annual charge of 1·5 milliards. This will mean a much heavier charge per head than that in Germany. The note circulation was 37·5 milliards, of which less than 10 per cent. is secured in gold; and a restoration of the currency will therefore be a costly business.

Economically, German-Austria is a poor country with a few prosperous rural districts and an imperial capital. Its agriculture produces between half and two-thirds per acre of the average German production. Its live stock is so depleted as to be practically destroyed. Its few factories and inferior railways are in worse condition even than the German, which is saying much. It has no coal supplies and no port. As to Vienna, it is difficult to say what will happen to it. It may have a future as the land-port of Germany on the east, as Hamburg is on the west, and as a commercial and financial centre for the new nations; but for the next few years it will be in industrial and financial liquidation, as the imperial banks and businesses reorganise and redistribute themselves among the nations. Vienna's machine, motor and railway

works and the Alpine Montant Company with large iron ore deposits, are the most important assets that go with German-Austria. Of course, there are wealthy industrial districts and mineral deposits in German-Bohemia and the Sudetic country, but the question of their union with Germany is a different one. The Bohemian Republic is making a strong bid to the industrial "interests" of these German districts, which fear the competition of Saxony should they enter the German union. It will be interesting to see whether this alliance between plutocracy and diplomacy will avail to keep these German populations permanently in the Tchech State. But with the exception of a few dynastic, clerical and capitalistic interests, German-Austria is to-day German, not Austrian.

You would have a better idea of the difference between German-Austria and the old Austrian Empire if you had visited Dr. Hartmann, the representative of German-Austria in the old Austrian Embassy in Berlin. There in a palladian palace that was once a centre of the peculiar blend of courtly brilliance and corrupt brutality with which the Austrian Empire kept itself going, you found a modest rather melancholy don and a young secretary; looking like lost souls of a national democracy buried in the sarcophagus

of imperialist diplomacy. But after a few minutes' talk you also found that these mild-mannered men represented that force that broke to fragments the Iron Crown of the House of Habsburg, and that will break its way to Union over the paper barricade of the Hall of Mirrors.

There is, indeed, nothing to be said for the insistence of the Supreme Council at Paris on delaying the union of Austro-Germany with Germany. The forcible splitting off of East Prussia and the subjection of millions of Germans to Polish, Tchecho-Slovak and Yugo-Slav governments, though indefensible in principle, may be defended by practical arguments—for instance that these German ports and lands are geographically essential to the new States, while their German population will be a valuable element in them. The assignment of the Tyrol to Italy may have a diplomatic defence as a design to falsify future relations between Germans and Italians, to the advantage of France and England. The acquisition of German Lorraine and the Saar valley by France may be explained by the policy of making France industrially independent of Germany and of preventing any future economic hegemony of Germany in Europe. An insistence on Austro-Germany entering the

German Republic might have been explained as an attempt to save Germany from Bolshevism and Prussianism, and to keep it quiet. But an insistence on Austro-Germany remaining independent, with its corollary in the intrigues for a separate Rhine Republic, seem to me as diplomatically ill-considered as they are democratically ill-conceived. We intended a material injury to German nationalists, but we have only inflicted a mortal insult on the German nation.

The Treaty of Versailles has then no elements either of permanence or of peace; because it runs counter both to facts and to forces both in the region of national and in that of international relationships.

In the national region it stultifies its own objects most effectively. Now nationalist idealism, though existing in Germany to-day only among the conservative gentry and a small section of upper-class progressives, is not a negligible quantity. For nationalism has control of the whole Coalition Government, the whole Press, with the exception of a few opposition Labour papers, and the whole of the Frei-Corps and the armed police. Owing to our continuation of a state of war after the armistice, the German Government has, by a logical process it would take too long to trace, become purely nationalist, instead of mainly

socialist and internationalist. More than that, it has come into collision with Socialism and the German Revolution in its efforts to maintain a *régime* such as we would recognise. The nationalist forces, that it relies on to maintain parliamentary party government and the supremacy of the propertied class to the exclusion both of Council Government and of a possible supremacy of the proletariat, were, in the first place, the more liberal bureaucracy and the officers, and in the second place the "Frei-Corps." But as pointed out already the Treaty we imposed on Germany forced out of the Government all the better elements of the bureaucratic and bourgeois classes. While the "Frei-Corps" with which the Government now holds all the principal towns under military rule have as moral ideals patriotism, privilege and property, and as material inducements high pay and quadruple rations. They embody not only the survivors of the officer caste, but also the young burghers and students, hitherto the Young Guard of revolution. Their formation was due partly to our delusion that a professional army is necessarily democratic because we have one, and that a short service militia is necessarily militarist because Germany used that method for its recovery a century ago; and

partly to a reaction against the revolution in Germany itself. By now they have become the foundation of the present parliamentary *régime*. But the Treaty requires their reduction from over 400,000 to a quarter of that number, while it utterly discredits the nationalist Government by imposing on it humiliations such as no modern nation has ever yet undergone. Therefore, while our policy requires the maintenance of the present German parliamentarians and their police as the only possible native agents for the realisation of our economic exploitation of Germany, our procedure renders their retention of power materially and morally impossible. As I myself think that the economic policy is as shortsighted as it is wrongheaded, I do not regret that the territorial and military provisions will, unless materially modified, prevent any possibility of realising any part of it. That they will shortly revive racial and religious frontier wars in which we shall probably be involved is a minor matter. Better we should lose more men and millions in expeditions to subject frontier provinces to their racial and religious enemies, than try to subjugate all Germany to our imperial system as we apparently aspire to do in the economic and financial clauses.

In the international region also the Treaty has

similarly stultified itself. It depends for its execution on the acceptance by Germany not only of its provisions but of the principles on which it is based. These principles assume that Germany will conform Constitutionally to the European system that we are setting up. That is that Germany will have a parliamentary government in which the upper and middle classes will preponderate. This Germany was quite prepared to do, and regarded its revolution chiefly as the qualification for admission to the Allied system on an equal footing. Parliamentary Government meant to Germany last winter not so much liberty as equality and fraternity—equality in the world's markets and fraternity in a League of Nations. In other words, peace and food. When Germany found that it was to be excluded from the League and outlawed, parliamentary government *à l'anglaise* was left without a leg to stand on. It lost its right leg because nationalists reverted to militarism and its left leg because internationalists turned towards Sovietism. It can fairly be said that the Weimar Assembly and the National Government that signed the Treaty of Peace represented no German force but merely German weakness. If the Treaty is ever to be enforced it can only be so through the Reichstag, and what it stands

for, and yet the Treaty has gone out of its way to weaken the Reichstag.

In respect of such criticisms I am continually being told by my quondam diplomatic colleagues that they quite agree, but that they could get nothing better; and, given the conditions under which they worked at Paris, they think that things might have been much worse. And this seems to be the line also of the American delegation, with the exception of some bolder younger spirits who broke off into open opposition. Of course, given these conditions, they could do no better. But that's just what they ought to have provided against. Every diplomatist knows, or ought to know, that the result of his negotiations will depend on two things; his success in interpreting to and impressing on his foreign surroundings the forces he represents whether they be ironclads or ideals; and his success in selecting such surroundings as will be most effectively impressed. It is mainly because they have not learnt the second part of this lesson that American diplomatists fail. It was a great discovery when we found after years of negotiation at Washington in which either nobody got any forrarder at all or we got altogether the worst of it, that it was only necessary to transfer the venue to The Hague or Paris or London, and American diplomacy

collapsed. I am not going into detail, interesting though it might be. But I used to explain it to myself by analysing American diplomacy as an attitude of business instincts and moral ideals which felt itself absurd in the cold, courtly, and cynical atmosphere of diplomacy; so, instead of imposing its own rules and standards, it either became helpless or tried hurriedly to adapt and adjust itself. We have only to read the memoirs of American Ambassadors to see that it takes a Benjamin Franklin to realise that broadcloth and beaver are more effective at Court than gold lace and a feathered hat. For it is this and nothing more that explains how an American failed in the greatest political opportunity offered to mortal man in modern times. And if President Wilson, with all the trumps in his hands, could win so few tricks and left the table politically bankrupt, it may seem perhaps absurd to have expected anything from our liberal representatives, tied and bound abroad by the chains of their secret treaties, tethered and burdened at home by their dependence on a conservative clique and on an imperialist newspaper proprietor.

Yet, those of our rulers who wanted a real peace treaty not a mere truce for dividing the spoils, ought to have known, what the Americans did not, that no peace could be got through a

diplomatic conference at Paris. They should, in the first place, have secured a real representation of the popular forces of the British Empire, and in the second place, a forum where those forces could take effect. Public opinion had already provided the foundation of such a forum in the demand for a League of Nations. The proper procedure, obviously, was to stop hostilities, subject to guarantees, and to set up a League of Nations that should make peace. It would have taken little longer to get together than did the diplomatic delegations, and would certainly have taken no longer in reaching a result. Both its constitution and its conclusions would probably have been resisted to the verge of rupture by the French and Italian Governments; but would, with the moral sanction of the League and with the urgent pressure of the military situation, have been easily enforced by the British and Americans. MM. Clemenceau and Tardieu could override Messrs. Lloyd George and Philip Kerr easily enough, for, after all, the former do stand for forces, the latter are merely phenomena. They could even override Messrs. Wilson and Lansing, for though these did represent real forces, they could not reproduce them in Paris. But mixed French and Italian delegations of all parties would have offered points of contact to British

and American Liberals and even to German and Russian Socialists. The cleavages between the various national interests would have been bridged and an internationalist cement introduced to counteract the imperialist cleavages. Of course, such a body would not have elaborated the details of peace in a plenary debate. It would have proceeded as national Constituent Assemblies always have done after civil war. It would have debated and approved general principles for its own permanent constitution and the resettlement of Europe, and referred them for elaboration to committees controlling the diplomatic experts.

It will be objected that such a new and untried institution could never have succeeded where the fine flower of diplomacy failed, or would have been merely a stalking horse for diplomatic intrigue and imperialistic interests. But an institution is strong in proportion to the public powers it has acquired and the public acquiescence in them : not in proportion to its degree of constitutional development, or the perfection of its machinery. A British parish council, with its carefully defined powers, can do little and does nothing. A German revolutionary communal council could do anything and does a good deal. The League of Nations would have given the

Americans a means of expressing their moral and neutral policies and of exercising the pressure that President Wilson would not or could not apply. Even if the League had not succeeded in imposing respect for his "fourteen points" on the diplomats, and it might have done so, it would at least have regulated procedure. We should not have had vital decisions reached in a few minutes' talk one afternoon, and reversed for some unknown reason the next, without reference to expert conclusions or regard for principle and precedent. Also this procedure would have made it possible to deal with our main obstacles to a permanent peace, the secret treaties. We could not escape from these national diplomatic obligations in a diplomatic conference of national delegates. But we could have got a dispensation from them had they been referred to a supreme international and super-diplomatic authority. No doubt this procedure would have affected such questions as the international status of Germany and Ireland or India. Germany would have been admitted to the League in time to take part in arranging its own penalties and we should thereby have got the best guarantee possible for the permanence of the peace in respect to Germany. The Peace Treaty would thus have become a compact instead of a

Coercion Act. As to Ireland, it is outside my scope: but as our national authority avowedly finds reconciliation of the two Irish factions insoluble, there would seem to be no great harm in trying what an international authority could do.

On such lines as this, a League of Nations might have been established. As things are the League is, of course, no more than an alliance to enforce the imperialist and nationalist decisions of Paris on conquered races, and to combat revolution. It is a combination of a Balkan League and a Holy Alliance. The effect of this prostitution of a public ideal to the profiteering of the Paris conclave has made the peace as disastrous morally to Europe as was the war materially. The Treaties have, for a time, Bolshevised Eastern Europe, Balkanised Central Europe and Bottomleyised Western Europe.

But here we are concerned with the effect on Germany. And if it be objected that it does not matter what Germany thinks of it, I reply that the test of the League's utility will be the confidence that it can inspire in the former enemy States. Unless Germans, Bulgars, and even Bolsheviks, see in it something more than a League against themselves, they will not accept its authority and we are back on a basis of a balance of power.

Our relations with Germany in this respect are especially important. We went into the war for international ideals—the defence of France and the abolition of militarism; and, having fought it to a conclusion, we allowed our rulers to substitute for that internationalism the worst form of imperialism. Germany went into the war for imperialist ideals, or, at best, for nationalist ideals; but after defeat replaced those ideals by an internationalism involving the acceptance of international control by a League of Nations. That internationalist point of view is still held by the German people, though no one would think it from the character of their present Government, and the tone of their Press.

The internationalist point of view of the German people has so far failed to find expression for two reasons: one was the pressure of Allied imperialism, the other the partial failure of the German Revolution through the innate political incapacity of the people. The armistice, while nominally suspending hostilities, really continued the war on national lines. This treaty, while nominally restoring peace, really continues the war on imperial lines. Under these conditions German internationalism could scarcely survive except among the working class, where it was too deeply rooted in the realities of life for any

poison gas from Paris to kill it. But, except among the workmen and their idealist leaders, the Independent Socialists, the feeling that the world in general, and Germany in particular, was at the mercy of the imperialist and nationalist elements among the victors caused the abandonment of the new protestantism—internationalism, and reversion to the old orthodoxy—nationalism. This recantation was indeed in response to intimations from Paris that Germany was expected to renounce the devil Bolshevism and all its works. That the realisation of the German Revolution, whether it is the work of a devil or no, is the one and only protection for Germany against Bolshevism is, of course, beyond the political penetration of Paris.

The principal force of public opinion created by the sacrifices of the war expressed itself in the movement for a League of Nations to guarantee peace. In Germany this movement was especially strong. For Germany was left without other protection than that which it could get from such internationalism. Any suggestion that could strengthen the League or Germany's claim to participate in it was eagerly grasped.

A private suggestion that the German Constitution should contain a formal recognition of the

League and be the first national constitution to do so, was at once adopted by the very cautious and conservative committee. Another from a similar source that the German proposals for the League should correct the democratic deficiencies of the Paris project was also adopted. The German scheme for a League was, indeed, in every respect better than that of the Allies.[1] But the Paris project and the provisions of the Treaty hopelessly prejudiced the whole idea of the League with German progressives. After their publication the clause recognising the precepts of the League and the provisions of Treaties as the supreme law of the land disappeared[2] from Art. 4 of the Constitution.

[1] In the German project all signatories of the Hague Convention as well as the new States arisen since the war were admitted. Instead of all authority being assigned to an Executive Council of nine in which the victorious Great Powers reserved themselves a majority of five, the remaining four being elected by smaller States, the German project had the Executive Council elected by a Congress of States, corresponding to the Assembly of Delegates in the Paris project. It also provided a World Parliament of parliamentary delegations. The German project is also more drastic in its provisions for mediation, arbitration, and protection of minorities. It approaches the functions of the League for international social legislation in a much more liberal and constructive spirit.

[2] This article of the Constitution had been amended by the addition of the words in italics: "The generally accepted principles of international law *the pronouncements of the League of Nations and the provisions of Treaties* have binding force as German Constitutional Law." It has now been amended back by their omission.

The League of Paris and the Treaty of Versailles are now to be obeyed as "force majeure"—they are not recognised as German law. And whereas the League could have secured from Germany a willing acceptance of obligations that would not only have guaranteed the peace of Europe so far as the German race was concerned, but would also have made good to some extent the ruin of the last war, now it is looked upon throughout Germany as mere cynical camouflage. The German, whether nationalist or internationalist, listens to American or English preachments about the League with despair and disgust.

Here is one such opinion from my note book: "I can endure with patience Germany being robbed of everything that is easily rob-able and even its being reduced to economic servitude. But what I cannot stand is the confidence trick of Wilson's 'points' and the camouflage of the League of Nations. Bismarck in respect of his Emperor and Bethmann-Hollweg in respect of Belgium both committed a breach of trust, but they did it under necessity of war. Wilson in his Fourteen Points and Lord Robert Cecil in the League have done the same in the name of peace."

Already the internationalism of Germany and Central Europe is under the pressure of Paris,

taking a form almost impossible to reconcile with the form of this League of Nations. Until the appearance of the Paris project for the League and the peace conditions, Germany, whether national or international, was wholeheartedly a supporter of it. But now it is not too much to say that the League is moribund, not only in Germany, but in continental Europe generally, as an ideal. Its place is rapidly being taken by the ideal of an International Council on a basis of social and industrial representation, instead of that of a League on a basis of national or territorial representation. Just as the leaders of the German workmen and the younger Democrats caught at the theories of Guild Socialism, so now they are turning eagerly to a new idea, also introduced from England, of an international Soviet system—an organisation that will be really international because, instead of being based as is the Wilsonian League on the nationalism of States, it will be based on the internationalism of trades. That will have as its sanction an international strike instead of a national boycott, and as its authority a Central Council of delegates instead of a Conference of diplomats. This development would have come in due course anyway, but a successful Wilsonian League might have delayed it even as the

prestige of the House of Commons is delaying Council government, and as the prestige of the Crown delayed Parliamentary government itself.

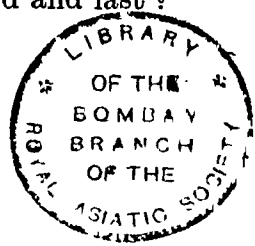
To us Liberals and Labour folk here in England —relieved at getting a League in any form and ready as we English always are to make the best of what we've got, however bad—this international Council movement may seem to be a waste of strength. For it would seem likely to require the full force of all progressive continental movements to get the League of Nations put on a democratic basis. But the attitude of America makes it doubtful whether the League can be so developed as to do more good than harm. And in any case the movement for an International Council will proceed concurrently and will help rather than harm the movement for an International Parliament. Nor will it encounter the same difficulties. The international organisation of labour provides a better medium in which to establish an international institution than does the present international organisation of governments—the Foreign Offices and Foreign Missions. Moreover, it should prove as easy to extend a Soviet System or Council Commonwealth into the international relationship as it is difficult and dangerous to extend the principle of State Sovereignty and Parliamentary supremacy there.

The Council Commonwealth, with its essentially international basis, with its democracy of superimposed councils in constant contact with each other and with the international strike for sanction, is as sound and safe a foundation for such a superstructure as the Parliamentary State, with its long-term parliaments, its large constituencies, its all-dominating national sentiment and its national blockade or boycott, is unsound. Anyway, the International Industrial Congress and Executive Council are bound to come, either in substitution for or supplementary to the League of Nations, just as the National Council Congress and Central Council are bound to come either in substitution for or supplementary to the parliamentary systems. The only question is whether they will come as supplementary to or in substitution for the League.

As to the sop thrown to the workmen of the world in Section 8 of the Treaty, with its international labour organisation, the German workmen, at least, have no use for it. The revolutionaries with their Independent leaders would not probably co-operate at all in the proceedings at Washington now beginning. The Trades Unionists and Social-Democrats have done so, but under no illusions as to results. A criticism of their organ, *Vorwärts*, points out that this

section is inspired by as profound a distrust of the Proletariat as the rest of the Treaty shows of Prussia; and that the provisions as to submission of agenda some months before, as to veto by the Governments except when there is a two-thirds majority, while the workmen's representation is no more than a fourth, and as to enforcing decisions, deprive the whole section of most of its value The *Vorwärts*, representing the general point of view now dominant in Germany and the point of view which but for other influences would have given the most sympathetic supporters to such procedure as that proposed, now damns it as humbug.

But whatever the form of the eventual international institution may be, one fact must be faced. We have not yet made peace with Germany. If the Paris treaties with Germany, Austria and Bulgaria have appeased the angry passions excited by war and finally discredited secret diplomacy, they will have fulfilled a function and cleared the road for peace. The armistice demands were the first stage to peace—these diplomatic damnifications the second. What will be the third and last?



CHAPTER VII

THE CONSTITUTION

LOOKING at the new German Constitution, without troubling about its inner meanings, and comparing it with the Constitution of 1871, we are struck at once by the very considerable advance it represents in democratic development. One need not be a constitutional lawyer to assert with confidence that this is the most democratic Constitution possessed by any of the principal European peoples, and to add that it seems to have avoided many of the mistakes that have been marked in other Republican Constitutions, whether American, French, Portuguese or Russian. The President's powers, for example, and the relation of the Ministry to Parliament suggest that Dr. Preuss, the constitutional jurist responsible for its drafting and elaboration, had studied foreign constitutional history with a Prussian thoroughness and a Hebrew perspicacity.

But a closer study of this Constitution will

give us a different view of it. And this view will depend on whether we study it in the light of its development from the Revolution or of its difference from the *ancien régime*. If we compare it with the principles of the revolution we shall be tempted to condemn and reject it, like the German Revolution, as mere camouflaged reaction. It would certainly have been a very different document had it been produced in the first weeks of November. The Revolution, in so far as it had a constitutional conception at all, contemplated a "Räte system" (that is a Council Government), which should secure political power to the proletariat under a Central Committee, on the Russian model. If it had admitted Parliamentary institutions at all they would only have been subordinate to Council control. As to any survival of the old State sovereignties, they were looked on as having disappeared with the State dynasties from which they had originated. Thus the Erfurt proclamation of the Thuringian States on December 10th, 1918, proposed that the motley medley of those petty principalities be unified into one administrative department of a centralised Republic.

But this revolutionary impetus did not last. As power relapsed to the upper and middle classes particularism reappeared. As the flood

tide of revolution drained back, the old channels and watersheds appeared again. Every crisis in modern German history, 1848, 1866 and 1870, had been in the main a movement towards national unity that eventually failed in great measure owing to peculiarities of German character and of Germany's circumstances. And this last Revolution of 1918 was to a large extent the same; but whereas the previous movements had been thwarted by Conservative ideals and institutions, and by the citadels of the past, this movement was most embarrassed by its association with Communist ideals and innovations, like the Councils. So much indeed was this national and centralising factor of the Revolution obscured by the international and socialising feature of it that, at the election of the Constitutional Assembly, such questions as to whether the Constitution should be that of a centralised Republic, like France, or a coalition of Republics, like Switzerland, never came before the public at all.

Public opinion was too much occupied with the Revolution in its effect on private life and property, on food and peace, to consider it in its character as another chapter in the history of German unity. The result of the election, however, temporarily settled the issue against

centralisation by splitting the Socialist party, and making the moderate Socialist Government dependent on the support of clerical and sectional interests. The constructive impetus of the Revolution was lost and Constitution-making became once more, as on previous occasions, a complicated negotiation with the lesser States.

But the Revolution had at least succeeded in giving the Constitution a good start towards centralisation by having a draft prepared, by a Committee under Dr. Preuss, then Secretary of State for the Interior in the provisional Government. This first draft—a shapeless makeshift affair—nevertheless established certain principles of national unity which eventually survived all attacks on them. And a tactical success was scored at once by publishing this draft simultaneously with the decision of the Constituent Assembly, on the 21st of January. But that was as far as the matter could be carried without calling the States into consultation, and a conference of their representatives met in Berlin on January 24th. At this Conference, or rather in the special train on the way to it, the particularist opposition declared itself. And this, not only where it might have been expected, in the clerical, liberal and conservative parties, but among socialists themselves. This opposition of

southern socialists followed the line of an old factious schism in the Social Democratic party that had declared itself at the Nürnberg Conference, and was headed by Kurt Eisner, the leading revolutionary and real ruler of Bavaria. Kurt Eisner was not only opposed to Prussia on political but on personal grounds, having shaken the dust of Berlin off his feet some years before. Under his leadership the centralised Republic of Preuss was gradually remodelled into a decentralised Federation of Republics. And it looked, at one time, as though the failure of the Paulskirche Assembly was to be repeated, and a movement towards German unity and social liberty was to relapse and recoil into reaction. Fortunately there has been to-day no Bismarck to profit by the opportunity given by the Southern particularists.[1]

It is curious to note how the resignation of the Constituent States changes in the successive drafts of the Constitution. First they appear as "Member States" (*glied Staaten*), then as "Free States," finally as "Countries" (*Lander*). Again,

[1] Delbrück, the leader of the Right, who defended Bismarck's Constitution in the Assembly against the supporters of the present Constitution, ignored the fundamental difference caused by the fall of the dynasties. Even Bismarck could not have succeeded had he not had the King of Prussia, the Emperor of Austria and the Princes of Germany on which to build his structure.

we find the Federal Body or Senate, representing these States, as States, appearing first as a State Committee (*Staaten Auschuss*), then as a State House (*Staaten Haus*) sharing sovereignty with a *Volks Haus* or Commons and combining with it to form the Reichstag, and finally as a Council of the Realm (*Reichsrat*) with merely a suspensory veto over the Reichstag. These changes of nomenclature suggest a reaction into decentralisation followed by a recoil back into centralisation. The successive drafts of this Constitution are indeed documents of intense interest to a student of German political development and of revolution in general. They mark stages in a historic movement that is scarcely elsewhere recorded ; if only because its course was so rapid that it accomplished in weeks what would normally have taken years, and because post-war conditions cut it off from competent observation. But, by comparing the various drafts of the Constitution, we see how a proletarian revolution starting in Prussia in favour of a centralised consolidated Republic gradually yielded to a reaction favouring Southern particularism, which converted the Constitution into a decentralised federation of Republics. Then, with the capture of the Saxon and Bavarian States, by the revolutionary Council movement and their collapse

under Prussian military occupation, came the final phase in which centralisation recovered most of its lost ground. The question is whether this ground has been recovered for reaction or for revolution.

This raises the question, all important for our purpose, as to the position of Prussian reaction under the new Constitution. Prussia as a political Power stands to us for Prussianism, and Prussianism represents the political point of view that we have been fighting in this war.

In the past Prussia dominated Germany through the Dynasty and the ruling class. Prussia was a force making for reaction, owing to its antiquated suffrage and constitution and to the activities of its upper and middle classes. Prussia still dominates the German Republic much as England would dominate in a British Federation. But it is not the same Prussia. If Prussia is still the citadel of reaction it is also the centre of revolution. The fight between the two is not yet fought out, but if, as seems probable, neither wins, the result will be that the Prussian influence in new Germany will be a somewhat colourless compromise, what we should call Liberalism.

If this is so, and the course of recent events tends to confirm a conjecture made soon after

my arrival in Germany, then a centralisation that tends to maintain Prussian hegemony in Germany is not in principle objectionable. It remains to be seen whether the Constitution as now recentralised offers opportunities to a recrudescence of Prussianism in the bad sense.

The position of Prussia, having four-sevenths of the population, an even larger proportion of the ruling class and of the military caste, also the capital and the civil service, was the main difficulty of the Constitution-makers. The revolutionary solution was at first the partition of Prussia, and it seemed feasible enough. Prussian unity had centred more than that of any other German State in the Crown; and as the Prussian Revolution had three main distinct regions, not very different from the old racial divisions, a division of the State into three seemed as easy as expedient. Dr. Preuss and constitutional jurists of all parties stood in favour of such partition. At the same time, if Prussia were to be partitioned, obviously a rearrangement of the other States might be attempted, so as to give the new German Constitution that uniformity and precision so precious to the German mind. Accordingly, all manner of fancy schemes were put forward by which the Reich was divided geographically, racially, religiously, economically, and even in-

dustrially. But all the time the Revolution, that alone could have carried through any such reconstruction, was being thwarted and throttled, so that none of these schemes became practical politics. The revolutionary impetus that the Constitution-makers could use for the realisation of their reconstructive ideals proved far too weak. There were, however, plenty of interested efforts to abolish the anomalies and absurdities of the old dynastic frontiers. Thus Hamburg merchants wished to annex Bremen ; Brunswick revolutionaries wished to annex Anhalt ; Coburg councils declared their independence of Gotha councils ; Waldeck burghers clamoured for release from the tyranny of Pyrmont. But when it came to effecting any such change, in no case was there sufficient support. It would indeed have been easier to redivide Germany on altogether new lines than to partition up and patch together the old States. Dr. Preuss was, at a very early stage, obliged to restrict himself to laying down principles for procedure which should make subsequent rearrangements as easy as possible ; and he was eventually obliged to content himself with putting, as he himself said, the least possible obstacle in the way of change.

The whole policy of partitioning Prussia very soon broke down before a Prussian national

unity that was the growth of centuries. This national sentiment expressed itself in violent opposition not only from the Prussian ruling class, to whom Prussian unity was a necessary condition for a monarchical and militarist reaction, but also to the Prussian proletariat, who considered it a necessary condition for the success of the Revolution. Nor, oddly enough, was it favoured even by the Southern and Catholic interest who in the past had been most jealous of Prussia. For they argued that if Prussia were reduced to provincial departments, their own State rights would not remain unrestricted. And State right had become all the more precious to the clerical parties since revolution had threatened them both from above and below, from a Socialist Central Government above and from Communist Council Governments below. Partition had therefore to be abandoned and the difficulty of Prussian preponderance was solved by an arbitrary reduction of Prussian representation, as in the Constitution of 1871. In the old Bundesrat Prussia was represented by 17 votes out of 61 (counting Alsace-Lorraine). Art. 61 of the present Constitution restricts Prussia to two-fifths of the total votes, having raised the proportion from one-third in the previous

drafts. That is, Prussia used to have rather more than a quarter, and now has rather more than a third of the votes in the Federal body.

This might look like a reaction into Prussianism; but only until the functions of this Federal Body are examined. Sovereignty, under the old Constitution, resided in the dynasties, and the old Bundesrat was a council of diplomatic delegates, comparable to the Supreme Council at Paris. These delegates, as representatives of the Crown, intervened, not only in legislative but even in administrative matters, such as appointments. Moreover, in this Council, the Prussian representatives had a privileged position, as they received their instructions from the Prussian Government in which the Imperial Chancellor was Premier. In the first drafts of the Constitution we find the sovereignty divided between representatives of the State and representatives of the people. Thus the Staatenhaus and Volkshaus combine to make the sovereign Reichstag. But in the present Constitution, all sovereignty expressly resides in the popular Chamber, the Reichstag. The Reichsrat becomes no more than a sort of Imperial Conference with defined and carefully delimited constitutional powers; and, in the Reichsrat, Prussia has no privileged position whatever.

The great strength of Prussianism was in the Prussian Constitution and in the Crown. But Art. 17 now prescribes that every State must have a Constitution as a Free State of a democratic character. And as to the Crown, Prussia has not the same relations to the President as it had to the Emperor. The Kaiser was primarily King of Prussia by right divine, the President is primarily executive of Germany by popular election.[1] Moreover, under the old *régime*, the Kaiser's Chancellor was also Prussian Premier. The Republic's Chancellor has nothing to say to Prussia; he and the Ministers form a Federal Cabinet responsible to the Reichstag.

And, if we carry this comparison into other political regions, we find the same result; that Prussianism and Junkerism have lost their vantage grounds and have been put under democratic control.

In Foreign Affairs the influence of Prussia was, as we have cause to know, especially fatal to Germany and to Europe. But that is now at an end. The German Constitution not only affords the usual guarantees of Parliamentary Govern-

[1] It was at first proposed, when decentralisation was at its strongest, that each State should have its own President, and that the Reichs President and Prussian President should be kept separate. But there is as yet no Prussian President, nor does there seem likely to be one.

ment for a democratic foreign policy, but guards the nation against defects in those guarantees that have been found dangerous even in our own Constitution. Two innovations have for years been urged by reformers in our own country, the institution of a permanent parliamentary committee on foreign affairs, and the submission of important treaties, as well as of declaration of war, to Parliament. Had Germany had these safeguards at the time of the war there would have been no war. Had we had them then we should now have peace. Articles 35 and 45 of the German Constitution are worthy of our careful consideration.

The financial relationship between States and the Central Government is always a difficult matter to arrange. If the Federal Government is dependent on subsidies from the States, it can have no strength, nor even any real democratic basis. If the States depend on the Central Government, they have no vitality and become in time mere administrative departments. Under the old Constitution there was no clear principle, but the fiscal authority resided nominally in the States, while the Reich really by all manner of devices encroached on this autonomy. Now there is a clear general principle that the States must content themselves with such sources of

revenue as are left to them by the Reich. And we certainly cannot criticise a centralisation which is indispensable to Germany in the enormous effort it must make to meet the financial obligations imposed on it by the Treaty of Versailles. Moreover, Prussia can no longer dominate Germany financially and economically as before. Prussia's economic preponderance has been greatly reduced by the loss of Lorraine, the Saar, and Silesia. In communications, too, Prussia can no longer give the lead and lay down the law to the lesser States; for communications come under federal control. Within two years railroads, posts and telegraphs and canals are transferred to the Reich.

In the region of public welfare we find that the new German Constitution is more satisfactory than might have been expected from the conditions of its genesis. It meets adequately two main requisites for progress; the formulation of the general principles inspiring the practical provisions of recent progressive legislation, and the attribution of responsibility for further legislative development of such principles. Thus, besides establishment of equality of sexes, we find such principles as that "Marriage is established on the equality of the sexes." "Families with numerous children are entitled to equitable

and equalising treatment." "Motherhood is entitled to protection of and provision by the State" (Art. 19). Illegitimate children are to have "similar conditions for their corporal, spiritual and social development" (Art. 121), "Childhood is to be protected against exploitation" (Art. 122), and so forth. While all these questions are attributed to the Reichstag (Art. 7, § 7).

The same approbation can safely be accorded to the chapter on public work. The economic purpose of society is to "guarantee to all an existence proper to men." "Property has its obligations, and its use must also serve the common good." While these *vœux pieux* are given more definite application in provisions for housing and contributory insurance, and in recognition of "nationalisation" in Art. 156. Moreover, these principles are, to some extent, guaranteed by the previously discussed recognition of Industrial Councils in Art. 165, which provides a measure of "socialisation," and by the specific recognition of socialisation as a principle in Art. 7, § 13.

When we come to the all-important region of education, the conditions of compromise in which the Constitution took shape have prevented the establishment of any very clear principle or very

cut and dried procedure. This was indeed one of the most contentious chapters of which 'clericalism' contested every inch. The Democrats and Dr. Preuss had originally introduced a uniform and secular system; but they and the Social-Democrats, in the abstention of the Independents, were unable to carry this through against the Clerical Centrum. The resultant compromise is not unlike that now prevailing in England. It may work but it satisfies nobody.

And finally coming to the army the effect of the success secured by the centralising party is even more questionable. The Revolution originally contemplated merely a militia on the Swiss model, under Federal control. The first result of reaction was to substitute a professional and highly paid force, the Frei-Corps, under Prussian command and control. The consequence of this was that the Southern States insisted on retaining their separate military systems, and these were duly recognised in the early drafts of the Constitution, to the great disgust of nationalists and militarists. But then came the proclamation of Räte-Republics in Saxony and Bavaria, and their suppression by Prussian Frei-Corps with some assistance from Würtemberg and Baden. This re-established, *de facto*, a military predominance of Prussia which enabled the Prussian jurists to

replace military matters under the Federal Government. Art. 79 now gives complete authority to the Minister of Defence; and the special military autonomies of Bavaria and other States, reserved in previous drafts, disappear. But, so long as the Frei-Corps continue, with their Prussian organisation and officers, a Federal army is, for the present, at least, nothing else than a Prussian army. Though Noske is the Minister of Defence, not Minister of War, as he is sometimes called, and is a member of a Federal Cabinet and not, as before, a Prussian Minister, and though the Eden Hotel clique has been transferred to the Ministry of Defence—yet the armed forces of the Republic are, for the present, the armed forces of Prussia.

This is, however, a transition stage. The Prussian officer is the creation of conditions that no longer exist to-day, and the Frei-Corps a creation of conditions that will not exist to-morrow. When Germany again gets peace, Prussia will lose a predominance that it owes to past conditions, but not to the Constitution.

It is indeed in its efficiency as a bond between the past and the future that the Constitution must be judged; as a bond that will reduce revolution to rapid evolution. Dr. Preuss, its author, claims no more for it than that it will not

act as a bar to any normal and natural growth. But it will have to do more than this. It must serve as a bridge by which Germany can safely pass over the immense gulf that separates the Germany of yesterday from the Germany of to-morrow; the Germany of the Courts of Potsdam and of Pumpernickel, from the Germany of the Executive Councils of Berlin and Brunswick. It is a formidable span for any bridge, and, when we look at this Constitution and find one abutment of it in Article 65 consecrating an ultra-mediæval particularism, and the other abutment in Article 165 "anchoring" the ultra-modern forms of industrial councils, we may wonder whether the intervening structure will ever stand the strain. Can the constitutional compromise of Dr. Preuss ever safely convey seventy million people from government by the divine right of princes to government by industrial representation? Even if it does not, and this Constitution is swept away by a second flood-tide of revolution, it will have served a purpose. It will have finally exorcised the constitutional incubus of northern Prussianism and southern particularism. The vague and dangerous powers of Prussian imperial sovereignty and the less dangerous but equally disabling national sovereignties of the Principalities have been swept

away. Art. 11 of the Constitution establishes the Commonwealth as a Republic and assigns its sovereignty to the people.[1] Moreover, Art. 178 repeals the Constitution of 1871, while Art. 181 puts the Constitution in force on the authority of the National Assembly alone, thereby finally ending the claim put forward at first by Bavaria that it should be ratified by the Landtag.

The difference between the Constitution of 1919 and that of 1871 can indeed best be seen at a glance by comparing their preambles. Here is that of 1871. "H.M. the King of Prussia in the name of the North German Confederation, H.M. the King of Bavaria, H.M. the King of Würtemberg, H.R.H. the Grand Duke of Baden and H.R.H. the Grand Duke of Hesse and by Rhine, for those parts of the Grand Dukedom of Hesse South of the Rhine, conclude a perpetual confederation."

Compare that with the preamble of this Constitution. "The German people, united in its races, and inspired by the will to restore and reinforce its Realm in liberty and equity, to

[1] The sovereignty of the Southern States was always a danger to German unity, as in the last crisis when great efforts were made by France to start secession movements in the South and West. The diplomatic right of representation was also an embarrassment in every crisis; as when a Bavarian representative suddenly appeared at Brest-Litovsk in the high tide of reaction, or again at Berne in the height of the Revolution.

ensure peace, both inward and outward, and to further social progress, has accorded itself this Constitution."

It only remains therefore, for Europe and England to recognise this new departure and to ratify it by admitting Germany to the League of Nations. And even if this new Constitution be held to be no more than new wine in old bottles and new patches on an old garment, that is no reason why Germany should not be included in the League as at present conceived and constituted.

APPENDIX

THE GERMAN CONSTITUTION

Introductory Note

Before the revolution of 9 November, 1918, the Constitution in force was that of 16 April, 1871—the "Constitution of the German Reich," which had replaced the "Constitution of the German. Bund" of November, 1870. But the following Constitution has less in common with these later Constitutions, based on alliances between Sovereign Princes, than with the abortive "Constitution of the German Reich" of 28 March, 1849, which embodied the nationalist and democratic revolution of 1848.

The November revolution brought to power a provisional Government—the Council of People's Commissaries—which in its first proclamation of 12 November, 1918, announced that the future Constitution would be framed by a National Assembly elected by universal suffrage and proportional representation. Under electoral regulations of 30 November, 1918, elections were held on 19 January, 1919.

The National Assembly met in Weimar on 6 February, 1919, and on 10 February voted the Provisional Constitution; whereupon the Council of Commissaries

resigned their authority to the Assembly. This Constitution gave the Assembly sole power to vote the Constitution; but its provisions could only be submitted with consent of a "State Committee" of representatives of the "Free States." This provisional Constitution was supplemented by an "Interim Act" of 4 March, which maintained in force previous legislation of the Reich and decrees of the Provisional Government.

The drafting of the Constitution was entrusted to Dr. Hugo Preuss, Professor of Public Law in the Commercial University of Berlin, Secretary of the Interior in the Provisional Government, and Minister of the Interior in the first Coalition Government. The Democratic Party, of which he is a member, having left the Coalition on the question of signature of the Treaty of Versailles, Dr. Preuss retained responsibility for the passage of the Constitution as Special Commissioner.

The first draft of the Constitution was published in January and was submitted to the Assembly on 21 February. It was introduced by Preuss with lengthy expositions in sessions on 28 February and 3 and 4 March, and thereafter submitted to a Committee of twenty-eight under the Presidency of the deputy Conrad Haussmann. After being completely recast in Committee it was debated in second reading 2–22 July; when the status of the Free States, the education question, and the recognition of industrial Councils were especially contested and eventually compromised. The third reading, 29–31 July, ended in its being voted by 262 to 75, the minority consisting of the Conservatives and the Independent Socialists.

CONSTITUTION OF THE GERMAN REALM

The German people united in its every branch and inspired by the determination to renew and establish the Realm in liberty and justice, to ensure peace at home and abroad, and to further social progress, has given itself this Constitution.

FIRST PART

THE REALM: ITS ORGANISATION AND FUNCTIONS

SECTION I

REALM* AND LANDS

ARTICLE 1.

The German Realm is a Republic.[1]*
Constitutional power proceeds from the people.[2]

ARTICLE 2.

The territory of the Realm consists of the territories of the German Lands.[3] Other territories may be incorporated in the Realm by an act of the Realm, if their populations should so desire in virtue of the right of self-determination.

ARTICLE 3.

The colours of the Realm are black-red-gold. The commercial flag is black-white-red with the national colours in the inner upper corner.[4]

* See notes, p. 320 *et seq.*

ARTICLE 4.

The generally recognised rules of international law are held to be integral and obligatory parts of the Law of the German Realm.[5]

ARTICLE 5.

Constitutional power shall be exercised, in matters pertaining to the Realm, by the Constitutional Bodies of the Realm on the basis of the constitution of the Realm, in matters pertaining to the Lands, by the constitutional bodies of the Lands on the basis of the constitutions of the Lands.

ARTICLE 6.

The Realm has exclusive legislative authority in :—

(1) Foreign relations.[6]

(2) Colonial affairs.[7]

(3) Nationality, freedom of domicile, immigration and emigration, extradition.

(4) National defence.[8]

(5) Currency.

(6) Tariffs, and the Customs and Commercial Union and freedom of Trade.

(7) Posts and telegraphs, including telephones.[9]

ARTICLE 7.

The Realm has legislative authority in the following subjects :—

(1) Citizenship.

(2) The criminal code.

(3) Judicial procedure, including the execution of justice; further, official co-operation between public authorities,

(4) Passports and police supervision of aliens.

(5) Poor relief and vagrancy.

(6) The Press, the right of association, the right of meeting.

(7) Population questions, care of mothers, infants, children, and young persons.

(8) Public health, veterinary regulations, and protection of plants against disease and pests.

(9) The right to work, insurance and protection of workers and employees, and employment exchange.

(10) The institution of vocational associations extending over the Realm.

(11) The care of discharged soldiers and their dependants.

(12) The right of expropriation.

(13) Socialisation of natural resources and of economic enterprises, further the manufacture, production, distribution, and price regulation of economic commodities for general use.[10]

(14) The commercial code, weights and measures, the issue of paper money, banking, and stock exchange regulations.

(15) Dealings in foodstuffs and food luxuries, and also in essential commodities of daily use.

(16) Industry and mining.

(17) Insurance.

(18) Merchant shipping, high-sea and coastwise fishing.

(19) Railways, canal traffic, motor traffic by land, sea, and air, and the construction of roads serving general traffic and national defence.[11]

(20) Theatres and cinemas.

ARTICLE 8.[12]

The Realm has further the right of legislating as to taxation and other revenues, in so far as they are wholly or partially appropriated to its purposes. Should the Realm appropriate taxes or other revenues hitherto assigned to the Lands, it must keep in view the proper requirements of the Lands.

ARTICLE 9.

The Realm has the right to legislate on the following subjects, or, if and when it is necessary to issue uniform regulations :—

(1) Social welfare work.

(2) Protection of public order and public safety.

ARTICLE 10.[13]

The Realm can by Act, frame general principles regulating :—

(1) Rights and responsibilities of religious communities.

(2) Education, including all higher education and scientific libraries.

(3) Rights of the officials of all public bodies.

(4) Right to the land, land distribution, land settlement and small holdings, the law of entail, housing, and distribution of the population.

(5) Burial of the dead.

ARTICLE 11.

The Realm can by way of legislation, frame general principles concerning the validity and collection of

taxes levied by the Lands to protect important interests of society and prevent :—

(1) Prejudice to the revenues or commercial relations of the Realm.

(2) Levies on public communications or institutions if excessive or such as to interfere with communication.

(3) Where, in the course of traffic between the different Federal States or provinces, commodities entering a certain State suffer financial disabilities as compared with the same class of commodity manufactured in such State.

(4) In order to exclude export premiums or to safeguard important social interests.

ARTICLE 12.

As long as, and in so far as, the Realm makes no use of its rights of legislation, the Lands retain the right of legislating. This does not apply to legislation which belongs to the Realm exclusively.

The Government of the Realm has the right of veto against any legislation of the Lands which affects the provisions of Number 13 of Article 7, in so far as the interests of the whole community of the Realm are thereby affected.

ARTICLE 13.

Law of the Realm prevails against law of the Lands.

Should any doubt or difficulty arise as to whether an act of the Land legislature is compatible with the law of the Realm, the competent authorities of the Realm or Land may appeal to the decision of a Supreme National Court of Judicature; as may be subsequently determined by an act of the Realm.

ARTICLE 14.

Acts of the Realm are administered by authorities of the Lands except in so far as may be otherwise determined by acts of the Realm.

ARTICLE 15.

The Government of the Realm has the right of supervision over those matters in which it has the right of legislation.

The Government of the Realm may lay down general directions where acts of the Realm are administered by the authorities of the Lands. It may send commissioners to the authorities of the Lands, and with their concurrence to subordinate authorities in order to supervise the execution of the acts of the Realm.

The Land Governments are bound to remedy, on demand of the Government of the Realm, any deficiencies which may have appeared in the course of executing the acts of the Realm. In cases of dispute, both National Government of the Realm and Governments of the Lands may appeal to the decision of a Supreme Court of Judicature, except where an act of the Realm declares another court to be competent.

ARTICLE 16.

Officials directly charged with administrative affairs of the Realm in any Land shall, as a rule, be citizens of that Land. Officials, employees, and workers in the employ of the Realm shall, if they so desire, be employed within their home Land, in so far as this is possible, and in so far as the requirements of the service or of their training are not prejudiced.

ARTICLE 17.

Every Land must have a liberal constitution.[14] The Representative Body must be elected by universal, equal, direct, and secret suffrage by all nationals of either sex, on the system of proportional representation.[15] The Government of the Lands must have the confidence of the Representative Body.[16]

The principles laid down for the election of the Representative Body apply also to the elections to Local Bodies. Nevertheless, Land legislation may require, as an elector's qualification, domicile within the locality not exceeding one year.[17]

ARTICLE 18.[18]

The division of the Realm into Lands shall have in view the highest economic and cultural progress of the People, while paying all possible regard to the wishes of the population affected. An act of the Realm in the form of a constitutional amendment is required for any modification of the frontiers of Federal States, or for the creation of new Lands within the Realm.

Where the Lands directly affected consent, a simple Act of the Realm shall suffice.

A simple act of the Realm shall further suffice where one of the Lands affected does not consent, but where the alteration of a frontier or the creation of a new Land is demanded by the wishes of the population and there is an overwhelming national interest in favour of it.

The wishes of the population shall be ascertained by means of a plebiscite. The Government of the Realm shall order a plebiscite to take place if one-third of the total number of those who have a vote for the

Reichstag, living within the territory affected, demand it.

Three-fifths of the votes recorded, and at least a majority of the total number of electors, are necessary to determine any alteration of frontier or the foundation of a new Land. Even where there is only question of separating part of a Prussian county or of a Bavarian district, or of the corresponding divisions in any other Land, the wishes of the population inhabiting the whole district affected must be ascertained. Should there be no regional relationship between the portion to be disconnected and the whole district, a special act of the Realm may declare the wishes of the portion which is to be disconnected to be sufficient.

When the wishes of the population have been ascertained, the Government of the Realm shall embody them in an act for decision by the Reichstag.

Should any dispute arise on the occasion of a union or a separation of territory in respect of property claims, the decision shall lie with the Supreme National Court of Judicature of the whole Realm on appeal of either party.

Article 19.

Should a constitutional dispute arise within a Land, for deciding which there is no competent court, or should a dispute of a public nature arise between Lands or between the Realm and a Land, either of the disputing parties may appeal, unless another court of the Realm is competent, to the Supreme National Court of Judicature, which shall decide. Execution of the decision of the Supreme Court of Judicature shall lie with the President of the Realm.

SECTION II

THE REICHSTAG

ARTICLE 20.[19]

The Reichstag is composed of the deputies of the German people.

ARTICLE 21.

The deputies are representatives of the whole people. They are subject to their conscience only and are not bound by instructions.

ARTICLE 22.

The deputies shall be elected by universal, equal, direct, and secret suffrage by those of either sex over twenty years of age, on the principles of proportional representation. The day of the election must be a Sunday or public holiday. An electoral law of the Realm shall lay down further detailed regulations.

ARTICLE 23.

The Reichstag shall be elected for four years. New elections must take place at latest within sixty days after the expiration of its term of office. The Reichstag must hold its first meeting at latest on the thirtieth day after election.

ARTICLE 24.

The Reichstag shall meet on the first Wednesday of November in every year at the seat of the Government. The President of the Reichstag is bound to call it together

at an earlier date if the President of the Realm, or at least one-third of the deputies, demand it.

The Reichstag determines the date of the close of its session and the date of its reassembly.

ARTICLE 25.[20]

The President of the Realm has power to dissolve the Reichstag, but may only do so once on the same ground.

New elections must be held at latest on the sixtieth day after the dissolution.

ARTICLE 26.

The Reichstag shall choose its own President, Vice-President, and Secretaries. It shall regulate its own procedure.

ARTICLE 27.

The business of the House between two sessions or between two election periods shall be conducted by the President of the Reichstag and the Vice-President holding office during the preceding session.

ARTICLE 28.

Disciplinary and police powers within the Reichstag building pertain to the President of the Reichstag. He also has the administration of the House. He has control of the income and expenditure of the House within the limits laid down by the national budget, and he represents the House in all the legal proceedings and legal business involved in its administration.

ARTICLE 29.

The sittings of the Reichstag are public. The public may be excluded on the demand of fifty deputies and by a two-thirds majority vote.

ARTICLE 30.

True reports of the proceedings at the public sittings of the Reichstag, of the proceedings at a Landtag, of the proceedings at Committees of the Reichstag or Landtag, are privileged matter.

ARTICLE 31.

A Court of Inquiry into election proceedings shall be formed in connection with the Reichstag. Such Court shall also decide whether any deputy has forfeited his mandate.

The Court of Inquiry into election proceedings shall be formed of members of the Reichstag, who shall be elected by the Reichstag for the duration of the electoral period, and further of members of the Supreme Administrative Court, who shall be nominated by the President of the Realm on the suggestion of the Presiding officers of this Court.

The Court of Inquiry into election proceedings shall pronounce judgment in public and oral session through three members of the Reichstag, and two legal members.

Apart from inquiries actually conducted before the Court of Inquiry, proceedings may be taken before an officer of the Realm appointed by the President of the Realm. Further, procedure shall be determined by the Court of Inquiry.

ARTICLE 32.

A resolution of the Reichstag requires a simple majority of votes, except where some other proportion of votes is laid down by the constitution. The Standing Orders of the Reichstag may admit exceptions to this rule in the case of elections carried out by the Reichstag.

The Standing Order shall regulate all questions of the validity of resolutions.

ARTICLE 33.

The Reichstag and its Committees of the Reichstag are entitled to demand the presence of the Chancellor or of any other Minister of the Realm. The Chancellor, the Ministers, and their deputies have access to the sittings of the Reichstag and to the sittings of the Committees of the Reichstag. The Lands are entitled to send plenipotentiaries to these sittings who shall submit the views of their Government on the question under discussion.

The representatives of the Lands may demand to be heard during the discussion; the representatives of the Government of the Realm may do so under suspension if necessary of the Orders of the Day.

Such representatives are subject to the rulings of the Chair.

ARTICLE 34.[21]

The Reichstag may set up Committees of Inquiry: it must do so if one-fifth of the members demand it. Such Committees shall in open session inquire into such evidence as they consider necessary, or the petitioners consider necessary. The public may be excluded by resolution of a two-thirds majority of the Committee of Inquiry. The Standing Orders shall regulate the procedure of the Committee and determine the number of its members.

The Courts and the Civil Service must submit any evidence demanded by these Committees; the Committees may demand to see their records.

The regulations of the Criminal Code apply to the taking of evidence by the Committees or by such authorities as they have instructed; nevertheless, the secrecy of the post office, of the letter, telegraph, and telephone services remains unaffected.

ARTICLE 35.[22]

The Reichstag shall appoint a Permanent Committee for Foreign Affairs; which Committee may sit during the recess, or after the election period has come to an end, or after the dissolution until the meeting of the new Reichstag. The sittings of such Committee are not public, unless the Committee itself decides on publicity by a two-thirds majority.

The Reichstag shall further appoint a Permanent Committee for the Protection of the Rights of the People's Representatives against the Government of the Realm for those periods during which it is out of session, and for the period following the termination of an election period.

Such Committees have the same rights as the Committees of Inquiry.

ARTICLE 36.

No member of the Reichstag or of a Landtag may at any time be made subject to judicial or administrative penalty, or may be made responsible outside the House, on account of his vote or on account of any utterances made in virtue of his office as deputy.

ARTICLE 37.

No member of the Reichstag or of a Landtag may, without the consent of the House of which he is a member,

be arrested or subjected to examination, while the House is in session, on account of any act for which criminal proceedings are threatened unless and except he have been arrested while committing the said act or at latest in the course of the following day.

A like consent is necessary for every other restriction of personal liberty calculated to obstruct a deputy in the free exercise of his office.

The Reichstag or a Landtag may require any criminal proceedings, any arrest, or any other restriction placed on the personal liberty of one of its members to be suspended for the duration of the session.

ARTICLE 38.

The members of the Reichstag and of the Landtags are entitled to refuse their evidence, both as to the identity of persons who have made communications to them in their capacity as deputies, and as to the nature of these communications themselves. With regard to the seizure of documents their position is further identical with that of persons who have the legal right of refusing evidence.

A search or seizure of documents may not take place within the precincts of the Reichstag or a Landtag except by consent of the President concerned.

ARTICLE 39.

Officials or members of the armed forces require no leave in order to exercise their functions as members of the Reichstag, or of a Landtag.

Should they be candidates for a seat in these bodies such leave as their candidature requires must be granted to them.

ARTICLE 40.

The members of the Reichstag are entitled to free passes on all German railways, and also to allowances as provided by act of the Realm.

SECTION III

THE PRESIDENT OF THE REALM AND THE GOVERNMENT OF THE REALM

ARTICLE 41.

The President of the Realm shall be elected by the whole German people.

Every German who has completed his thirty-fifth year is eligible, and an act of the Realm shall make further provision.

ARTICLE 42.

The President of the Realm shall take the following oath on assuming office—

> I swear that I will devote my powers to the good of the German people, that I will promote and protect the people's interests, will maintain the constitution and the laws, will fulfil my duties conscientiously, and will exercise justice towards all.

The addition of a religious oath is permissible.

ARTICLE 43.

The President holds office for seven years and is re-eligible.

The President of the Realm may be deposed from office

before the expiry of his term by popular plebiscite on initiative of the Reichstag. The resolution of the Reichstag must have a two-thirds majority. It precludes the President from any further exercise of office. Should the plebiscite reject deposition, such vote counts as a new election and entails the dissolution of the Reichstag.

The President of the Realm may not be criminally prosecuted without consent of the Reichstag.

ARTICLE 44.

The President of the Realm cannot be concurrently a member of the Reichstag.

ARTICLE 45.

The President of the Realm represents the Realm in international intercourse. He contracts alliances and other treaties with foreign Powers in the name of the Realm. He accredits and receives ambassadors.

Declaration of war and conclusion of peace shall be by act of the Realm.

Alliances and treaties with foreign States concerning subjects of national legislation require the consent of the Reichstag.

ARTICLE 46.

The President of the Realm appoints and dismisses officials and officers of the Realm, except as may be otherwise provided. He can exercise his rights of appointment and dismissal through other authorities.

ARTICLE 47.

The supreme command over the whole armed forces of the Realm resides in the President of the Realm.

ARTICLE 48.[23]

Should any Land fail to fulfil the obligations imposed on it by the constitution or laws of the Realm, the President of the Realm may constrain it thereto by armed force.

Should public order and safety be seriously disturbed or threatened in the German Realm, the President of the Realm may take the necessary measures to restore public order and safety; in case of need he may use armed force. For this purpose he may, for the time being, suspend wholly or partly the fundamental civil rights detailed in Articles 114, 115, 117, 118, 123, 124, and 153.

The President of the Realm is bound without delay to communicate to the Reichstag all measures taken by him in virtue of Clause 1 or Clause 2 of this Article. The Reichstag may require such measures to be abrogated.

A Land Government may take temporary measures of the nature indicated in Clause 2, should delay be dangerous. The President of the Realm or the Reichstag may require such measures to be abrogated.

An act of the Realm shall make further provision.

ARTICLE 49.

The President of the Realm exercises the right of pardon. Amnesties affecting the whole Realm require an act of the Realm.

ARTICLE 50.

All orders and decrees of the President of the Realm, including those regarding national defence, require for validity the counter-signature of the Chancellor or of

the competent Minister of the Realm. Responsibility is assumed with this counter-signature.

ARTICLE 51.

Should the President of the Realm be prevented from acting, he shall be represented in the first place by the Chancellor. Should it seem probable that he will be so prevented for a lengthy period, an act of the Realm shall provide for his representation.

The same applies in the case of a premature vacancy in the Presidency for the period preceding a new election.

ARTICLE 52.

The Government of the Realm consists of the Chancellor and the Ministers of the Realm.

ARTICLE 53.

The President of the Realm appoints and dismisses the Chancellor and, on his recommendation, the Ministers of the Realm.

ARTICLE 54.

Chancellor and Ministers of the Realm require the confidence of the Reichstag for the exercise of office. Any one of them must resign should the Reichstag withdraw its confidence by express resolution.

ARTICLE 55.[24]

The Chancellor presides over the Government of the Realm and conducts its business on the basis of Standing Orders, which shall be drawn up by the Government of the Realm and approved by the President of the Realm.

ARTICLE 56.

The Chancellor lays down general policy and is responsible therefor to the Reichstag. Each Minister of the Realm carries on his Department independently within such lines, and is individually responsible therefor to the Reichstag.

ARTICLE 57.

The Ministers of the Realm shall submit for discussion and resolution to the Cabinet all Bills; further, all matters which either the constitution or the laws require to be so submitted; also, differences of opinion on topics which touch more than one Ministerial Department.

ARTICLE 58.

The Government of the Realm decides by simple majority. Where the voting is equal the Chair has a casting vote.

ARTICLE 59.

The Reichstag may impeach the President of the Realm, the Chancellor, and the Ministers in the State Court of Judicature, on the ground of conscious violation of the constitution or law of the Realm. The resolution calling for impeachment must be signed by at least one hundred members of the Reichstag, and requires, in order to be valid, the same majority as in the case of a constitutional amendment. The act instituting the Supreme Court of the Realm shall make further provision.

SECTION IV

THE REICHSRAT

ARTICLE 60.[25]

A Reichsrat shall be formed in order to represent the German Lands in the legislation and administration of the Realm.

ARTICLE 61.

Each Land shall have at least one vote in the Reichsrat. In the case of the larger Lands there shall be one vote per million inhabitants. Any excess over a million not less than the total number of the inhabitants of the smallest State shall be reckoned as a full million. No Land may have more than two-fifths of the total number of votes.[26]

German-Austria shall, after it has joined the German Realm, have the right to participate in the Reichsrat with such votes as correspond to its population. Until that time the representatives of German-Austria shall have an advisory voice.[27]

The number of votes shall be determined afresh by the Reichsrat after each general census.

ARTICLE 62.

No Land may have more than one vote on Committees formed by the Reichsrat.

ARTICLE 63.

The Lands shall be represented in the Reichsrat by members of their Governments. But one-half of the Prussian votes shall be held by the Prussian provincial

administrations; and further provision therefor will be made by Prussian legislation.[28]

ARTICLE 64.

The Government of the Realm is bound to summon the Reichsrat should one-third of the members of the Reichsrat demand it.

ARTICLE 65.

A member of the Government of the Realm shall preside over the meetings of the Reichsrat. The members of the Government of the Realm may take part in the proceedings of the Reichsrat and of its Committees; they are bound to do so if summoned. They are entitled to be heard at their request at any time of the proceedings.

ARTICLE 66.

The Government of the Realm, and also each member of the Reichsrat may propose resolutions there.

The Reichsrat shall regulate its procedure by Standing Orders.

The plenary sessions of the Reichsrat are public. Publicity may be suspended by standing order in particular discussions.

The voting shall be decided by simple majority.

ARTICLE 67.

The Reichsrat shall be kept informed of the course of current business by the Ministers. The competent Committees of the Reichsrat shall be consulted by the Ministers in matters of importance.

SECTION V

LEGISLATION OF THE REALM

ARTICLE 68.

Bills shall be introduced by the Government, or from the body of the House.

Acts of the Realm shall be passed by the Reichstag.

ARTICLE 69.

Bills proposed by the Government require the consent of the Reichsrat. Should the Government and the Reichsrat fail to come to an agreement, the Government may nevertheless introduce its Bill, but must append the dissenting opinion of the Reichsrat. Should the Reichsrat pass a Bill from which the Government dissents, the Government must introduce such Bill in the Reichstag together with an exposition of its own views.

ARTICLE 70.

The President of the Realm shall have laws, constitutionally passed, properly engrossed, and shall proclaim them, within a month, in the Gazette of the Realm.

ARTICLE 71.

Acts of the Realm, unless otherwise provided, come into force on the fourteenth day after the date of publication of the Gazette in the capital of the Realm.[29]

ARTICLE 72.

Proclamation of an act of the Realm shall be deferred for two months on request of one-third of the Reichstag.

Laws which the Reichstag and the Reichsrat declare to be urgent may be proclaimed by the President of the Realm notwithstanding this request.

ARTICLE 73.

An Act passed by the Reichstag must, before being proclaimed, be submitted to a plebiscite, should the President of the Realm so decide within a month.

An Act whereof the proclamation has been deferred on request of one-third of the members of the Reichstag must be submitted to plebiscite should one-twentieth of the voters demand it.

A plebiscite must further be taken if one-tenth of the voters demand the introduction of a Bill; such a popular request must be based on a Bill prepared in due form. The Government of the Realm must inform the Reichstag of such request together with an explanation of its own views. No plebiscite shall be held should the Reichstag accept the Bill demanded without amendment.

The President of the Realm is alone entitled to institute a plebiscite concerning the budget, taxation, or payment of officials.

An act of the Realm shall make further provisions as to such plebiscite and initiative.

ARTICLE 74.

The Reichsrat can veto acts passed by the Reichstag.

Such veto must be communicated to the Reichstag by the Government within two weeks after its passage, and within two further weeks the reasons therefor must also be submitted.

In case of such veto the act affected shall be sub-

mitted to the Reichstag for reconsideration. Should the Reichstag and Reichsrat fail to reach agreement by this means, the President of the Realm may, within three months, refer the issue to a plebiscite. Should the President fail to exercise this right, the act shall lapse. Should the Reichstag, by a two-thirds majority, decide against the veto of the Reichsrat, the President must, within three months, either proclaim the act as passed by the Reichstag, or order a plebiscite.

ARTICLE 75.

No vote of the Reichstag may be abrogated by plebiscite unless a majority of the voters record their votes.

ARTICLE 76.

The constitution may be legislatively amended. Nevertheless constitutional amendments by the Reichstag are only valid if two-thirds of the members are present, and at least two-thirds of those present are in favour. Further, constitutional amendments by the Reichsrat require a majority of two-thirds of the recorded votes. Should a plebiscite be held by popular initiation on a constitutional amendment, a majority of the electorate must be in favour.

Should the Reichstag vote a constitutional amendment over the veto of the Reichsrat the President shall not proclaim such act should the Reichsrat, within two weeks, demand a plebiscite.[30]

ARTICLE 77.

The Government of the Realm shall, unless otherwise enacted, issue general administrative regulations for

the execution of acts of the Realm. The assent of the Reichsrat is requisite where the execution of a national law rests with the Government of a Land.

SECTION VI

ADMINISTRATION OF THE REALM

ARTICLE 78.

The conduct of foreign affairs pertains exclusively to the Realm.

The Lands may make treaties with foreign States on matters which fall within their own legislative competence; such treaties require the consent of the Realm.

Agreements with foreign States concerning alteration of the national frontiers shall be concluded by the Realm after the Land affected has given its consent. Frontier alterations can be effected by act of the Realm only, except in mere rectifications of frontiers in uninhabited districts.

The Realm shall take the necessary measures and make the necessary arrangements, in agreement with the Lands affected, to safeguard such interests of those Lands as may be involved in their peculiar economic connections with or in their geographical contiguity to foreign States.

ARTICLE 79.

National defence is an affair of the Realm. An act of the Realm shall uniformly regulate the military constitution of the German people, with due regard for local conditions.

ARTICLE 80.

Colonial affairs pertain exclusively to the Realm.

ARTICLE 81.

All German merchant vessels constitute a united mercantile marine.

ARTICLE 82.

Germany constitutes a Customs and Commerical Union enclosed in a common customs frontier.

The customs frontier coincides with the foreign frontier. Towards the sea the continental coast line with the islands belonging to the Realm forms the customs frontier. Deviations may be admitted where the customs frontier reaches the sea or other waters.

The territory of foreign States, wholly or partly, may be included within the Customs Union by treaty or other agreement.

Parts of the Union may be excluded under special necessity. In the case of free harbours such exclusion can be terminated only by constitutional amendment.

Territories excluded from the Union may be joined to a foreign Union by treaty or by agreement.

All products of nature, industry and art in free circulation within the Realm may be exported, imported, or transited across the frontiers of the Lands or local communities. Exceptions to this may be made by act of the Realm.

ARTICLE 83.

The authorities of the Realm shall administer all tariffs and all indirect taxes.[31]

Where the authorities of the Realm administer national taxation, provision shall be made preserving to the Lands their peculiar interests in the sphere of agriculture, commerce, manufacture, and industry.

ARTICLE 84.

The Realm shall, by legislation, regulate :—

(1) Financial administration within the Lands in so far as required in the interests of the uniform execution of the national fiscal laws ;

(2) The organisation and functions of the authorities entrusted with the execution of the national fiscal laws ;

(3) Accountancy between the Realm and the Lands ;

(4) Re-imbursement of the costs of fiscal administration.

ARTICLE 85.

All income and expenditure of the Realm must be estimated yearly and incorporated in the Budget.

The Budget shall be passed as an act before the opening of the financial year.

Expenditure shall normally be voted for a year ; in special cases it may also be voted for a longer period. In general, no clause in the Budget is admissible which extends beyond the financial year, or which does not refer to income or expenditure of the Realm or to financial administration.

The Reichstag may not increase items of expenditure proposed in the Budget or insert new items of expenditure without the consent of the Reichsrat.

Failing consent of the Reichsrat, the provisions of Article 74 apply.

ARTICLE 86.

The Minister of Finance shall, with a view to discharging the responsibility of the Government, submit to the Reichstag and to the Reichsrat an account of all appropriations made out of the national revenues in the year following that in which the appropriations have been made. An act of the Realm shall provide further for the auditing of such accounts.

ARTICLE 87.

Money may be raised by loan only for extraordinary expenditure and, as a rule, only on account of expenditure for remunerative purposes.

Money may only be raised by loan or other liability assumed on behalf of the Realm with the sanction of an act of the Realm.

ARTICLE 88.

Posts, telegraphs, and telephones are exclusively the affair of the Realm. Stamps are uniform throughout the Realm.

The Government shall, with the consent of the Reichsrat, establish regulations and rates for the use of communications. With the consent of the Reichsrat it may delegate this power to the Minister of Posts.

The Government shall, with the consent of the Reichsrat, set up an Advisory Committee for Posts, Telegraphs, Telephones, and their rates.

The Realm alone has power to contract with foreign States concerning communications.[32]

ARTICLE 89.

The Realm shall acquire as its property all railways serving public communication and administer them according to a uniform system.

The rights of the Lands to buy private railways shall be transferred to the Realm on its demand.[33]

ARTICLE 90.

The Realm, in acquiring the railways, shall acquire all rights of expropriation and all sovereign prerogatives in connection with the railway system. In case of dispute the Supreme Court of Judicature shall decide the extent of such rights.

ARTICLE 91.

The Government shall, with the consent of the Reichsrat, issue all regulations concerning construction, management, and traffic of the railways. With the consent of the Reichsrat it may delegate these powers to the competent Minister.

ARTICLE 92.

The national railways shall be administered as an independent economic concern though their Budget and their accounts shall be incorporated in the national Budget and accounts; they shall be responsible for their own expenditure, including interests on and sinking-fund for, their own debt, and they shall accumulate their own reserve-fund. A special law shall regulate the extent of the sinking-fund and [illegible] fund,

as well as the purposes to which the reserve-fund may be put.

ARTICLE 93.

The Government shall, with the consent of the Reichsrat, set up Advisory Committees for Railway Communication and Rates for the national railways.

ARTICLE 94.

When the Realm has taken over the railways serving public communication within a particular district, new railways serving public communication may not be built within such district except by the Realm or with the consent of the Realm. Should the building of new lines, or the alteration of existing lines, touch on the province of the police authorities of a Land, the railway administrative authorities must consult the local authorities before deciding.

Where the Realm has not yet taken over the administration of the railways, it may, by act of the Realm, build at its own cost, or commission others to build, with the right of expropriation, such railways as may be essential to public communication or national defence, notwithstanding that those Lands, through whose territories such railways run, object; nevertheless, the sovereign prerogatives of the Lands shall not hereby be affected.

Every railway must permit another railway to effect a junction with it at the cost of the latter.

ARTICLE 95.

Railways serving purposes of public communication which are not administered by the Realm are subject to the supervision of the Realm.

Railways subject to the supervision of the Realm shall be constructed and equipped on the same principles as those laid down by the Realm. They must be maintained in good working order and must be extended to meet traffic requirements. Passenger and goods traffic must be served according to their requirements.

In regulating rates, the aim must be to maintain uniform and low rates.

Article 96.

All railways, including those not serving purposes of public communication, must accede to requirements of the Realm made in the interests of national defence.

Article 97.

The Realm shall acquire as its property and administer the waterways serving purposes of public communication.

When the Realm has taken over the waterways, new waterways serving the purposes of public communication shall not be constructed or extended except by the Realm or with its consent.

In administering, extending, or constructing waterways, the Realm shall co-operate with the Lands to safeguard the requirements and development of agriculture and of irrigation.

Every waterways administration must permit another inland waterways system to effect a junction with it at the cost of the latter. The same shall apply to the connections between waterways and railways.

In taking over the waterways the Realm acquires the right to expropriate, to fix rates, and to administer the river police system.

The undertakings of the River Development Com-

panies in regard to the natural waterways of the Rhine, Weser, and Elbe shall be taken over by the Realm.

ARTICLE 98.

The Government shall, with the consent of the Reichsrat set up Advisory Committees to co-operate in the administration of waterways.

ARTICLE 99.

No dues may be levied over natural waterways except such as are applied to construction, plant, or other works facilitating communication. They must not exceed, in the case of State or municipal construction, the costs incurred by building and upkeep. Costs incurred by the building and upkeep of works which do not exclusively facilitate communication but are also designed for other purposes, may only be defrayed out of dues levied on shipping pro rata. Interest and sinking-fund for the capital involved are reckoned as part of the cost of construction.

This shall apply to dues levied on artificial waterways and on constructions in connection with them or in harbours.

In the administration of inland canals shipping dues may be levied on a basis of the total combined costs of a canal, a river, or of a whole waterways system.

This shall also apply to floating of constructions on the navigable waterways.

The Realm is alone entitled to levy heavier dues on foreign ships and their freights than are levied on German ships and their freights.

The Realm is entitled, by legislation, to obtain contributions from users of the waterways by other methods,

in order to serve the upkeep and extension of the German waterways system.

ARTICLE 100.

An act of the Realm may levy part of the cost of upkeep and construction of inland waterways on any person benefiting, otherwise than by navigation, from the construction of dams in cases where more than one Federal State has participated in the costs of construction or where such costs have been borne by the Realm.

ARTICLE 101.

The Realm shall acquire and administer all marine signals, in particular beacons, light-ships, buoys, and land beacons. When the Realm has taken these over, new marine signals shall not be constructed or extended except by the Realm or with its consent.

SECTION VII

JUSTICE

ARTICLE 102.

Judges are independent and subject to the law only.

ARTICLE 103.

The normal judicature shall be exercised by the Court of the Realm and the Courts of the Lands.

ARTICLE 104.

Judges of the normal judicature shall be appointed for life. They may not be deposed from their office,

either permanently or temporarily, nor may they be transferred to another bench, nor may they be pensioned off against their will, except in consequence of a judicial decision, and then only for the reasons, and in the form, laid down by law. Legislation may fix a retiring age, on reaching which judges must accept a pension.

This clause shall not affect suspension from office carried out in virtue of a legal enactment.

In the case of a redistribution of courts, or of circuits, the judicial administrations of the Lands may compel judges to accept transference to another bench, or pensions, but only with payment of full salary. This does not apply to commercial judges, assessors, or jurors.

ARTICLE 105.

Extraordinary courts are forbidden. Every person has the right to demand that he be produced before the competent Court. Legal enactments concerning military courts and courts-martial are not hereby affected. Military courts of honour are abolished.

ARTICLE 106.

The military judicature shall be abolished except in time of war and on board men of war. An act of the Realm shall make further provision.

ARTICLE 107.

Administrative courts both in the Realm and Lands shall be set up by legislation for the protection of the individual against decrees and ordinances of the administrative authorities.

ARTICLE 108.

An act of the Realm shall set up a Supreme Court for the German Realm.

GERMAN CONSTITUTION

SECOND CHAPTER

FUNDAMENTAL RIGHTS AND DUTIES OF CITIZENS[34]

SECTION I

THE INDIVIDUAL

ARTICLE 109.

All Germans are equal before the law.

Men and women have, as citizens, fundamentally the same civil rights and duties.

Public privileges or disadvantages arising out of birth or rank shall be abolished. Titles of nobility count only as part of a name; they may no longer be conferred.

Only such titles may be conferred as indicate an office or a profession; academic rank is not hereby affected.

The State may confer no orders or insignia.

No German may accept titles or orders from a foreign State.[36]

ARTICLE 110.

Nationality of the Realm and of the Lands shall be acquired and lost as may be regulated by act of the Realm. Every national of a Land is at the same time a national of the Realm.

Every German has, in every Land, the same rights and duties as the nationals of that Land.

ARTICLE 111.

All Germans have the right of free movement throughout the Realm. Every German has the right of staying and of settling in any part of the Realm he please; he has the right of acquiring property there and of earning his livelihood. This may only be restricted by act of the Realm.

ARTICLE 112.

Every German may emigrate to a foreign country. Emigration may only be restricted by act of the Realm.

All nationals have the right to the protection of the Realm both within and without the Realm, as against a foreign country.

No German may be handed over to a foreign Government for prosecution or punishment.[37]

ARTICLE 113.

The foreign speaking parts of the Realm shall not be obstructed, either legislatively or administratively, in the free development of their ethnological characteristics, especially in the use of their mother tongue in educational establishments, in internal administration and in the administration of justice.

ARTICLE 114.

Liberty of the person is inviolable. Restrictions on, or deprivation of, personal liberty may not be imposed by the public authorities except in virtue of a law.

Persons who have been deprived of their liberty must

be informed on the following day at latest by what authority and on what grounds this has been ordered; they must have immediate opportunity of lodging objections against such deprivation of liberty.

ARTICLE 115.

Every German is master in his own dwelling, which is inviolable. Exceptions are only admissible when the law so provides.

ARTICLE 116.

Acts are punishable only if they have been designated by law as punishable before they were committed.

ARTICLE 117.

The secrecy of the post, telegraph, and telephone service is inviolable. Exceptions are only admissible under act of the Realm.

ARTICLE 118.

Every German may express his opinion in speech, writing, print, pictorially, or by any other means, within the limits imposed by the law. He may not be obstructed in this right by any contract relating to his work or his employment; no disadvantage may be imposed on him by any person, should he make use of his right.

There is no censorship; nevertheless, restrictions may be laid down by law with regard to cinemas. Moreover, legislative action is admissible for the suppression of obscene or indecent literature, as well as for the protection of young persons at public performances or exhibitions.

SECTION II

THE COMMUNITY

ARTICLE 119.

Marriage, as being the basis of family life and of the maintenance and growth of the nation, shall be under the special protection of the constitution. It rests on the equality of the two sexes.

The State and the local authorities shall undertake to perfect, purify and promote family life. Numerous families shall be protected proportionately.

Motherhood can claim protection and provision by the State.

ARTICLE 120.

The education of their offspring in physical, spiritual, and social efficiency is the supreme duty and natural right of the parents; the social State supervises such activities.

ARTICLE 121.

Legislation shall provide for illegitimate children the same opportunities for physical, spiritual, and social development as are provided for legitimate children.

ARTICLE 122.

Young persons shall be protected against exploitation and against moral, spiritual, and physical neglect. The necessary arrangements shall be instituted by the State and municipalities.

Protective provisions of a compulsory character can only be imposed by law.

ARTICLE 123.

All Germans are entitled to meet together, peaceably and unarmed, without previous notice or special permission.

An act of the Realm may require notification of open-air meetings, and, where there is direct danger to public security, may forbid them.

ARTICLE 124.

All Germans are entitled to form associations or unions for purposes which are not in contravention of the penal law. This right may not be restricted by preventive measures. The same holds good for religious unions and associations.[38]

Every association may acquire corporate rights in accordance with the provisions of the Civil Code. Corporate rights may not be refused to any association on the ground that its aims are of a political, social, political, or religious nature.

ARTICLE 125.

The liberty and secrecy of the ballot are guaranteed. An electoral law shall make further provision.

ARTICLE 126.

Every German may address a written petition or complaint to the competent authority or the people's representatives. This right may be exercised both by the individual or by several persons in common.

ARTICLE 127.

Local authorities and associations of local authorities have the right to administer their own affairs within the limits laid down by the law.

ARTICLE 128.

All citizens without exception are eligible for public office as provided by the law, and in proportion to their suitability and services.

All exceptional measures against women officials are abolished.

An act of the Realm shall regulate the Civil Service.

ARTICLE 129.

Officials shall be appointed for life, except as may be otherwise provided by law. Pensions and the pensions of dependants shall be regulated by law. Rights duly acquired by officials are inviolable. Officials may have legal remedy for recovering financial claims.

Officials shall not be dismissed, nor provisionally or permanently pensioned, nor transferred to another office with less salary, except under provisions and procedure established by law.

Every official penalty must be subject to appeal and revision. Unfavourable entries may not be made in the personal record of any official unless he has had opportunity to reply to them. Officials have the right to examine their record.

The inviolability of duly acquired rights and the right to have recourse to legal process for the recovery of financial claims are especially guaranteed to professional soldiers. In all other respects their position shall be regulated by an award of the Realm.

ARTICLE 130.

Officials are servants of the community, not of a party.

Freedom of political opinion and freedom of meeting shall be secured to all officials.

Legislation of the Realm shall provide officials with special civil service representation.

ARTICLE 131.

Should an official, in exercising his public authority, be guilty of a breach of his official duty towards a third party, responsibility therefor shall fundamentally attach to the State of the Body employing such official. They may reserve the right of retributory action against the official. Recourse to an ordinary court of law must not be excluded.

The competent legislature shall provide for that.

ARTICLE 132.

Every German is bound to undertake honorary duties in accordance with the law.

ARTICLE 133.

Every German is bound to give personal service on behalf of the State or the local authority in accordance with the law.

Military service shall be as provided in the Law of National Defence of the Realm. The same law shall determine how far any fundamental citizen's rights shall be restricted for those on military service in the interests of their duties and of discipline.

ARTICLE 134.

All citizens without exception shall contribute proportionately to their means to all public burdens in accordance with the law.

SECTION III

RELIGION AND RELIGIOUS BODIES

ARTICLE 135.

All residents in the Realm enjoy entire freedom of faith and of conscience. The undisturbed practice of religion is guaranteed by the constitution and under the protection of the State. General legislation shall not be affected thereby.

ARTICLE 136.

The free exercise of religious practices shall neither condition nor limit the civil and constitutional rights and duties of citizens.

Enjoyment of civil and constitutional rights and entry into public office are independent of religious faith.

No person is bound to publish his religious convictions. The public authorities may not inquire into any person's membership of a religious body except where rights and duties or a legally instituted statistical census are involved.

No person may be forced to take part in any religious act or ceremony or to be present at any religious service or to adopt any religious form of oath.

ARTICLE 137.[39]

There is no State Church.

Freedom of association in religious bodies is guaranteed. No limits shall be imposed on the formation of religious associations within the Realm.

Every religious association shall order and administer its own affairs independently, subject to general legislative limitations. Such associations shall appoint to their offices without co-operation of the State or the local authorities.

Religious associations acquire a juridic personality according to the general regulations in the Civil Code.

Religious associations retain the status of public corporations if they have previously enjoyed it. Other religious associations may obtain it, on demand, should their constitution and their membership guarantee their permanent character. Should several such public corporate bodies join to form one federation, such federation is itself a public corporate body.

Religious associations which are public corporate bodies may tax their members on the basis of the rate assessments and subject to Land legislation.

Associations whose aim is to promote the cult of a common view of life shall be on a par with religious associations.

The Land Legislatures shall be responsible for any further regulation of the application of these principles.

Article 138.

The Land Legislatures shall discharge any liabilities due to religious bodies in virtue of a law, contract, or deed. The Realm shall lay down general principles on this matter.

The property of religious bodies and religious associations shall be guaranteed, as also their rights in respect of their institutions, foundations, and other funds devoted to worship, education, and social welfare.[40]

ARTICLE 139.

Sundays and feast days recognised by the State are maintained as holidays and days of spiritual refreshment.

ARTICLE 140.

Men on military service must be granted sufficient free time to fulfil their religious duties.

ARTICLE 141.

In so far as a need of religious services and of religious ministration makes itself felt in the army, in hospitals, prisons, or other public institutions, admission shall be accorded to religious associations, but in this there shall be no compulsion.

SECTION IV

SCHOOLS AND EDUCATION

ARTICLE 142.

Art, knowledge, and their instruction are free. The State guarantees to protect them and co-operates to promote them.

ARTICLE 143.

The education of youth is provided for in public institutions established by the Realm, the Lands, and Local Authorities in conjunction.

The training of teachers shall be uniformly regulated for the whole Realm on the general lines laid down for higher education?

Teachers in public schools have the rights and duties of State officials.

ARTICLE 144.

All education is under State supervision, in which the State may associate the Local Authorities. Such supervision is exercised by senior officials with special training.

ARTICLE 145.

Education is universally compulsory. It is effected in elementary schools, with at least eight years' attendance, and in continuation schools, up to the completed eighteenth year. Education and educational apparatus in elementary and continuation schools are free of charge.

ARTICLE 146.[41]

Public education shall be organically developed. The foundation school, which shall be common to all, shall lead on to the secondary and higher school system. This organisation shall keep in view the variation of vocations; and admission to schools shall have in view the capacities and inclinations of the child, and not the financial or social position of its parents or their religious beliefs.

Nevertheless, on demand of the parents or guardians, elementary schools for their particular religious faith or their particular views shall be set up within a municipality, always provided that the regular school programme in the sense of Clause 1 be not hereby prejudiced. The wishes of parents and guardians shall be considered as far as possible. The Land Legislatures shall provide

further, subject to the general principles of an act of the Realm.

Realm, Lands, and Local Authorities shall provide funds to enable poorer members of the community to attend the secondary and higher schools; in particular, they shall provide maintenance grants for the parents of children who are deemed suitable to receive further education in the secondary and higher schools for the period of such education.

ARTICLE 147.

Private schools, in place of public schools, require the consent of the State and must conform to Land law. The consent of the State must be given if such private schools are not inferior to the public schools in respect of their educational aims and arrangements, and in respect of the professional standard of their teaching staffs, and if no distinctions are made between scholar and scholar on account of the financial position of their parents. Consent shall be refused if the financial and legal position of the teaching staff be not sufficiently secured.

Private elementary schools may only be set up if a minority of parents or guardians, claiming consideration under Clause 2 of Article 146, have no public elementary school for their faith or views, or if the educational administrative authorities recognise that special educational interests are involved.

Private preparatory schools are abolished.

The legal status of private schools which do not take the place of public schools is unchanged.

ARTICLE 148.

All schools shall aim at inculcating moral character, a civic conscience, personal and professional efficiency

in the spirit of the German national character and of international conciliation.

The teacher in public schools shall avoid offence to those of contrary opinion.

Education in citizenship and technical instruction are part of the curricula. Every scholar shall, on leaving school, receive a copy of the constitution.

Realm, Lands, and Local Authorities shall promote popular and university education.

Article 149.

Religious instruction is an ordinary part of the curriculum except in the non-religious (secular) schools. It shall be regulated by the legislation on education. Religious instruction shall be given in harmony with the principles of the religious association concerned, without prejudice to the control of the State.

The giving of religious instruction and the instituting of Church ceremonies shall be dependent on consent of the teacher; the acceptance of religious instruction and participation in Church ceremonies and acts shall be dependent on consent of those persons responsible for a child's religious education.

The theological faculties in the Universities shall be maintained.

Article 150.

Monuments of artistic, historic, natural, or picturesque interest shall be under the protection and care of the State.

The Realm is responsible for preventing the export of German artistic treasures to foreign countries.

SECTION V—THE ECONOMIC SYSTEM.[42]

ARTICLE 151.

The social economic system must conform to the principles of equity with the special object of guaranteeing an honourable livelihood to all. Within these limits economic freedom shall be secured to each individual.

Legal compulsion is only admissible to maintain rights which have been threatened or to secure an overwhelming public interest.

Freedom of trade and of manufacture shall be guaranteed by acts of the Realm.

ARTICLE 152.

In commerce freedom of contract shall prevail subject to the law.

Usury is forbidden. Contracts contrary to public morality are null and void.

ARTICLE 153.

Property is guaranteed by the constitution. Its rights and responsibilities and restrictions are to be laid down by law.

Expropriation can only be undertaken in the common interest and in virtue of a law. Adequate compensation shall be paid, unless otherwise provided by act of the Realm. Any dispute as to the amount of compensation shall be referred to the ordinary courts. Property of the Lands, the local authorities, or public associations can only be expropriated by the Realm against com-

pensation. Property imposes obligations. Its use by the owner must at the same time serve the common good.

ARTICLE 154.

The right of inheritance shall be guaranteed in accordance with the Civil Code. The laws shall determine the proportion of inherited property accruing to the State.

ARTICLE 155.

Distribution and cultivation of the soil shall be supervised by the State so as to ensure against abuses and to endeavour to secure healthy housing for every German, and suitable homes for each German family, especially those with many children, in which they can live and work. In drawing up a housing code special consideration shall be paid to the claims of those who have fought in the war.

Landed estate may be expropriated if it is required for housing, or for a settlement or reclamation policy, or in the interests of agriculture. Entails shall be abolished.

The owner of the soil is bound to cultivate and make use of his land, in the common interest. Increment value due to no expenditure of work or of capital shall be utilised for the common good.

All riches of the soil and all natural resources of economic use shall be under the supervision of the State. Private royalties shall, by law, be transferred to the State.

ARTICLE 156.

An act of the Realm may without prejudice to the payment of compensation, and subject to the regulations

concerning expropriation, transfer to public ownership private businesses suitable for socialisation. It may name itself, the Lands, or Local Authority as partners in the administration of such business undertakings or associations, or in any other way assure itself a predominant influence therein.

The Realm may further legislate, in case of urgent necessity and in the interest of the national economy, to oblige business undertakings or associations to combine, on the basis of self administration, with a view to securing the co-operation of all the productive forces of the nation, to associating employers and employed in the administration, and to regulating production, manufacture, distribution, employment, prices, as also import and export of goods on principles of public economy.

Distributive productive co-operative societies and their federations may, on their own demand, and with due regard to their constitution and character, be incorporated in the public economic system.

Article 157.

The labour forces of the nation are under the special protection of the Realm. The Realm shall draw up a uniform labour code.

Article 158.

Intellectual work, the rights of discoverers, inventors, and artists, shall be under the care and protection of the Realm.

International agreements shall secure validity and protection in foreign countries for German intellectual, artistic, and technical creations.

ARTICLE 159.

Freedom of association with the object of guaranteeing and improving conditions of work and of employment shall be secured to all individuals and all professions. All compacts or measures which seek to limit or obstruct this freedom are illegal.

ARTICLE 160.

Any person occupying the position of employee or worker is entitled to have such free time as is necessary to avail himself of his rights as citizen, and, in so far as serious injury is not thereby done to his employment, such free time as is necessary to discharge honorary public offices conferred on him. His claims to compensation shall be determined by legislation.

ARTICLE 161.

The Realm, with the controlling co-operation of insured persons, shall create a comprehensive system of insurance for the maintenance of health and efficiency, for the protection of motherhood, and for provision against old age, infirmity, and change of circumstances.

ARTICLE 162.

The Realm shall support the principle of international regulation of the legal rights of workers, with the object of securing a uniform minimum of social rights to the working classes of mankind.

ARTICLE 163.

Every German is morally bound, without prejudice to his personal liberty, to make such use of his intellectual

and physical capacities as shall be required by the common good.

Every German shall be given the possibility of earning his living by economic labour. In so far as suitable employment cannot be found for him, provision shall be made for his necessary maintenance. Acts of the Realm shall make further provision.

ARTICLE 164.

Legislative and administrative measures shall be taken to encourage the independent middle class in agriculture, industry, and commerce and protect it against exploitation and extortion.

ARTICLE 165.

Workers and employees are called on to co-operate with the employers on a basis of equality, in regulating wage and work conditions and in furthering the general economic development of the forces of production. The organisations of either side and their agreements shall be recognised.

Workers and employees shall, for the prosecution of their social and economic interests, receive legal representation in Works Councils, and also in District Workers' Councils organised by economic spheres, and in a Central Workers' Council.

District Workers' Councils and the Central Workers' Council shall be combined with the employers' representatives and local representatives in District Economic Councils and in a Central Economic Council, for the execution of their economic functions and for joint enforcement of the Socialisation Laws. District Economic Councils and the Central Economic Council shall

be so constituted as to include representatives of all important professional groups in proportion to their economic and social importance.

Bills on social and economic questions of fundamental importance must be submitted by the Government of the Realm to the Central Economic Council for consideration before being introduced. The Central Economic Council is entitled itself to initiate such bills, and if the Government of the Realm objects, it must, nevertheless, submit such draft to the Reichstag with an explanation of its views. The Central Economic Council may appoint one of its members to support the bill in the Reichstag.

Functions of control and of administration may be transferred to Workers' and Economic Councils within the spheres assigned to each.

The organisation and objects of the Workers' and Economic Councils, and their relations to other social autonomous bodies, are exclusively in the jurisdiction of the Realm.[43]

TEMPORARY CLAUSES AND FINAL CLAUSES.

Article 166.

Until the Supreme Administrative Court has been constituted, the Supreme Court shall appoint to the Court of electoral revision.

Article 167.

The provisions of Clauses 3 to 6 of Article 18 shall only come into force two years after proclamation of the constitution.

ARTICLE 168.

Until the act of the Realm referred to in Article 63 is promulgated, but at most for one year, the Prussian votes in the Reichsrat may be exercised by members of the Government.

ARTICLE 169.

The Government of the Realm shall determine at what date the regulation laid down in Clause 1 of Article 83 shall come into force.

Collection and administration of customs and excise may, on their demand, be left to the Lands for a reasonable transition period.

ARTICLE 170.

The postal and telegraph departments of Bavaria and Würtemberg shall be transferred to the Realm at latest on April 1st, 1921.

In so far as agreement concerning the terms of the transfer has not been reached by October 1st, 1920, the Supreme Court of Judicature shall decide.

Existing rights and responsibilities of Bavaria and Würtemberg shall remain in force until the transfer. Nevertheless, postal and telegraphic communication with foreign countries shall be exclusively regulated by the Realm.

ARTICLE 171.

State railways, waterways, and marine lights shall be transferred to the Realm at latest on April 1st, 1921.

In so far as agreement concerning the terms of transfer has not been reached by October 1st, 1920, the Supreme Court of Judicature shall decide.

ARTICLE 172.

Until the law constituting a Supreme Court of Judicature comes into force its functions shall be carried out by a Senate of seven members, of whom four shall be chosen from among their own members by the Reichstag and three by the Supreme Court. It shall regulate its own procedure.

ARTICLE 173.

Until promulgation of the act of the Realm referred to in Article 138, existing grants of the State to the religious associations in virtue of laws, contracts, or deeds shall continue.

ARTICLE 174.

Until the act of the Realm above referred to in Clause 2 of Article 146 is promulgated, previous legislation shall remain in force. The act shall pay special regard to those districts where a school which makes no religious distinction is established by law.

ARTICLE 175.

The provisions of Article 109 do not affect orders and insignia bestowed for service during the years 1914–1919.

ARTICLE 176.

All public officials and those on military service must take the oath to this constitution. The President of the Realm shall make further provision.

ARTICLE 177.

Where the existing law prescribes the formula of oath in a religious form, an individual may also be legally

sworn so as to omit the religious form by saying the words: I swear. In all other respects the legal oath remains unaffected.

ARTICLE 178.

The constitution of the German Realm, dated April 16th, 1871, and the act for the Provisional Government, dated February 10th, 1919, are repealed.

The remaining laws and ordinances of the Realm remain in force, in so far as consonant with this constitution. The conditions of the Peace Treaty signed at Versailles on June 28th, 1919, are not affected by this constitution.

Orders legally issued by the public authorities in virtue of previously existing laws remain valid until replaced by further orders or legislation.

ARTICLE 179.

In so far as reference is made in laws or ordinances to regulations or institutions abolished by this constitution, there shall be substituted therefor the corresponding regulations or institutions of this constitution. In particular the Reichstag shall be substituted for the National Assembly, the Reichsrat for the States' Committee, and for the President of the Realm, elected under the act for the Provisional Government, a President of the Realm elected in virtue of this Constitution.

The function of issuing ordinances pertaining to the States' Committee in virtue of previous regulations shall pass to the Government of the Realm; in issuing ordinances the Government of the Realm shall require the consent of the Reichsrat as laid down in this constitution.

ARTICLE 180.

Until the first Reichstag, the National Assembly shall count as Reichstag.[44] Until the first President of the Realm shall enter upon office, his functions shall be carried out by the President elected under the act for the Provisional Government.

ARTICLE 181.

The German nation has pronounced upon and passed this constitution through its National Assembly. It comes into force on the day of its proclamation.

(Signed) PRESIDENT EBERT.
Ministers ERZBERGER, MULLER, DAVID NOSKE, SCHMIDT, SCHLICKE, GIESBERTS, MAYER, BELL.

Schwarzburg, 11*th August*, 1919.

NOTES.

[1] ART. 1.—The whole character of this Constitution is contained in this provision that the "Reich" is a republic. It was introduced in order to convey that new Germany, while retaining the ancient title and tradition of "Reich," had given it a new significance, and that thereby no concession was intended either to Monarchists or Imperialists or Militarists.

Therefore "Reich" is not to be translated Empire. Commonwealth would perhaps be the best rendering, but Realm will be used here as more convenient.

[2] This clause is of crucial importance. Henceforward all sovereignty is of the German people and not of the princes or principalities. The German Bund of 1815 was a mere confederation between sovereigns or Staaten Bund. The North German Bund of 1866 was a federation of semi-sovereigns, or Bundes Staat. The present German Republic is still a Federal State, but sovereignty is inherent in the people, not in the constituent governments.

[3] ART. 2.—The transformation of this Constitution from a centralised republic into a confederation and back to a federation has been reviewed already. The word "lander" is literally translated for this and other reasons.

[4] ART. 3.—"Whether these colours black-red-gold, are really the colours of the ancient Reich, which historians dispute, or are those of the Lutzow Free Company, we look rather to the political ideals and aims associated with them during the nineteenth century. It was the idea of political freedom and of national unity that kept the black-red-gold, an honoured symbol in German Austria long after the black-white-red had flown over the German Empire. As the historian Constantine Franz has said, in mediæval times there was an Austro-Germany, in modern times a Prusso-Germany, and now there must be a German Germany."—Dr. Preuss, introductory speech, 24th February, 1919.

The clause as it stands is a compromise between the "Right," who wished to retain the black, white, and red, and the "Left," who wanted the red flag. A compromise in which the Right have as elsewhere had the best of it—as the red flag is not allowed.

[5] ART. 4.—"German Democracy can only welcome a League of Nations that has itself a really democratic constitution and that recognises without reserve or restriction the liberty and equality of all its members. We shall have no members of inferior status in our commonwealth, but neither will we be of inferior status in the League of Nations."—Dr. Preuss, speech introducing the Draft Constitution, February, 1919. The phases of this clause have been reviewed above, see p. 236.

[6] ART. 6.—See Art. 78 as to the rights in foreign relations retained by the Lands.

[7] See Art. 80.

[8] This simple attribution of military matters to the Reich replaces the complicated recognitions of the "reserved rights" of the southern States in the early drafts. See p. 257 for the importance of this clause.

[9] The first draft gave the Reich exclusive jurisdiction over railways, canals, and air traffic, which it now shares with the Lands.—See Art. 7, § 19.

[10] ART. 7.—This, with § 12, represents a gain to Socialism, as the transfer of "Socialisation" to the Reich prevents indefinite obstruction by a Conservative Landtag. See Art. 153.

[11] See Art. 171.

[12] ART. 8.—See Art. 85 for rights retained by a Landtag; also p. 254 for the general effect of this provision.

[13] ART. 10.—The earlier drafts formulated such principles as an integral part of the Constitution.

[14] ART. 17.—What a "free State" Constitution means was not defined by the authors of the Constitution. Its opponents argued that it might admit of a monarchist restoration in Prussia, but this has since been barred constitutionally by the provision that the Reich is a Republic (Art. 1).

[15] The first draft established a single chamber legislation in the Lands.

[16] This sentence was added apparently to bar the setting up of further unparliamentary Räte republics in opposition to the Chambers, as in Bavaria, Brunswick, etc.

[17] This residential qualification was added to meet objections that otherwise Landtag elections might be influenced by an influx of outside voters.

[18] ART. 18.—This, the most contentious article in the Constitution, embodies the concessions made by the centralising purists—its authors—to the federalising particularists—its critics. The history of its phases has been given above, see p. 243. Its form in the first draft follows :—

"It is open to the German people to establish new Free States within the Realm, irrespective of the previous frontiers, in so far as the racial character of the population, economic conditions, and historical traditions favour their formation. Such new Free States should have at least two million inhabitants.

"The union of two or more constituent States into a new Free State is effected by governmental convention between them, subject to the approval of the Legislatures and the Government of the Realm.

"If the population of a district wish to secede from their allegiance and join one or more German Free States, or form a Free State, a plebiscite is necessary. The plebiscite will be initiated by the Government of the Land or of one or more autonomous bodies comprising at least a quarter of the population concerned. It will be instituted by the Government of the Realm and enforced by the local authority."

The general effect of the Constitution combined with present political conditions is that there will be no change of any im-

portance in the composition of the countries constituting the Realm. See also Art. 167 suspending operation of pars. 3 to 6 of this article for two years.

[19] ART. 20.—In the first draft the Sovereign Reichstag consisted, not, as here, of the popular Chamber only, but of the Volkshaus—the popular Chamber, and the Staatenhaus—the representatives of the States. The latter, now known as the Reichsrat (see Art. 60), is no longer part of the sovereign body and has merely a suspensory veto against it (see Art. 74).

[20] ART. 25.—The President's power of dissolution was unrestricted in the early drafts.

[21] ART. 34.—This article, a late addition, constitutionalises a procedure that strengthens democracy as against bureaucracy.

[22] ART. 35.—The institution of a permanent Committee on Foreign Affairs for which our advocates of democratic diplomacy have laboured in vain for twenty years has been commented on above, see p. 253.

[23] ART. 48.—It was in virtue of the article corresponding to this in the provisional constitution that Berlin attacked and suppressed the Council Governments set up in Munich, Brunswick, Bremen, and elsewhere.

[24] Art. 55.—The Chancellor is consequently no longer the sole responsible Minister, but merely as elsewhere in democratic constitutions *primus inter pares*, the Premier. Moreover, he has, of course, lost his special authority from the Crown and his special association with Prussia. It would have been better in the circumstances to have dropped the title of Chancellor.

[25] Art. 60.—The Reichsrat is the much reduced remains of the Bundesrat. (See p. 252 and Arts. 1 and 20.)

[26] Art. 61.—For the importance of this restriction in respect of Prussia, see p. 251.

[27] This clause as to German Austria was objected to by the Supreme Council at Paris as contrary to Art. 80 of the Treaty of Versailles: "Germany acknowledges and will respect strictly the independence of Austria. . . . She agrees that this independence shall be inalienable except with the consent of the Council of the League of Nations." The exchange of notes on the subject is not worth appending, as it expresses an ephemeral phase of diplomacy and not any essential principle of international law. In so far as the German Constitution is concerned, the objection seems unimportant in view of Art. 178, par. 2.

[28] Art. 63.—A compromise between the former Bundesrat, where the delegates were plenipotentiaries representing semi-sovereign States, and the centralising draft of Preuss, where they were no more than politicians chosen on party, not on particularist, grounds.

[29] Art. 71.—A curious little example of provincial jealousy, which substituted "capital" for "Berlin."

[30] Art. 76.—"It is an essential of democratic constitutions that they be difficult of amendment" (Preuss). On the other hand, such difficulties have their danger, as in 1851, when Louis Napoleon obtained a simple majority but not a two-thirds majority for an amendment; which led eventually to a *coup d'etat* and a complete overthrow of the Constitution.

[31] See Art. 169.

[32] See Art. 170.

[33] See Art. 171.

[34] These principles were formerly mostly provided for in the German Code; though some, and they the most important, were previously only guaranteed by State Law.

[35] See Art. 175.

[36] Art. 109.—Equality of the sexes and abolition of titles, is of course, an innovation.

[37] Art. 112.—This has no effect as against demands for extradition made under the Treaty of Versailles, in view of Art. 178, §3.

[38] Art. 124.—This repeals a provision of the Prussian Constitution that religious associations can only be incorporated by special legislation.

[39] Art. 137.—This article is a much-contested compromise in which the Socialists have secured in the end a striking success over the Roman Catholic Centrum and Right. The latter entered the fight with the full intention of maintaining State Churches everywhere. Probably the set-back suffered in the South from the Communist capture of Munich reconciled them to disestablishment without disendowment. That par. 7 would give "Bolshevism" a claim to equal treatment with Protestantism is not of immediate importance.

[40] See Art. 173.

[41] Art. 146.—The separation of church and school effected in this and preceding articles was bitterly opposed by the Roman Catholics. Defeated in this article, they secured a respite in

Art. 174 which postpones its application until further legislation. See Art. 174.

[42] This chapter breaks new ground, as might be inferred from the abstract character of its provisions and constant reference to special legislation.

[43] Art. 165.—An Act regulating these councils has already been introduced (Aug., 1919). For the importance of this article, see above, pp. 69, 172, 184.

[44] On the strength of this clause the Government have transformed the National or Constituent Assembly into a Reichstag, without the election certainly contemplated when it was first convoked.

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